

MONDAY, APRIL 3, 2017

TWENTY-SECOND LEGISLATIVE DAY

The House met at 5:00 p.m. and was called to order by Madam Speaker Harwell.

The proceedings were opened with prayer by Bishop William Young and Diane Young, The Healing Center, Memphis, TN.

Representative Hardaway led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present..... 95

Representatives present were Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, McCormick, McDaniel, Miller, Mitchell, Moody, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 95

EXCUSED

The Speaker announced that the following members have been excused, pursuant to requests under **Rule No. 20**:

Representative Matlock; business

Representative Parkinson

PRESENT IN CHAMBER

Reps. DeBerry and Parkinson were recorded as being present in the Chamber.

COMMUNICATION
March 31, 2017

Austin McMullen
955 Greerland Drive
Nashville, TN 37204

Re: Tennessee Housing Development Agency Board of Directors

Dear Mr. McMullen:

As Speaker of the House of Representatives acting pursuant to Tennessee Code Annotated, § 13-23-107, I am appointing you to serve as a member of the Tennessee Housing Development Agency Board of Directors. You will be serving in the position vacated by Kendra Cooke. Your term commences immediately and will expire on June 30, 2019.

I am forwarding a copy of this letter to Ralph M. Perrey, Executive Director of the Tennessee Housing Development Agency. Mr. Perrey's office will be contacting you in the near future regarding this appointment.

I am confident that you will perform the duties of office with the high standard of professionalism, dedication and integrity that the citizens of Tennessee deserve and expect of their public servants.

Best Wishes,

/s/ Speaker Beth Harwell

cc: Lt. Gov. Randy McNally
Ralph Perrey, Executive Director- TN Housing Development Agency
Cody York, 8th Floor, Snodgrass Tower
Don R. Johnson, G-7 State Capitol Bldg.
Scott Gilmer
Connie Ridley
Karen Garrett
Doug Himes
Tammy Letzler

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Resolution No. 76 Reps. Gilmore and Powell as prime sponsors.

House Joint Resolution No. 166 Reps. Byrd and Sargent as prime sponsors.

House Bill No. 61 Reps. Ragan, Windle, Sparks and Towns as prime sponsors.

House Bill No. 147 Reps. Hardaway as prime sponsors.

House Bill No. 166 Reps. Clemmons, Gilmore, Towns, Favors, Keisling, Love, Windle, Staples, Byrd, Stewart, Hardaway, Turner and Cooper as prime sponsors.

House Bill No. 266 Reps. Clemmons and Gilmore as prime sponsors.

House Bill No. 307 Reps. Favors, Staples, Hardaway and Clemmons as prime sponsors.

House Bill No. 577 Reps. Clemmons, Parkinson, Gilmore, Hardaway, Camper, Powell, Akbari, Staples, Towns and Favors as prime sponsors.

House Bill No. 636 Reps. Love, Camper, Hardaway, Towns, Parkinson, Gilmore, Clemmons and Cooper as prime sponsors.

House Bill No. 736 Reps. Ragan, Hardaway, Powell, Weaver, Terry, Byrd, Favors, Camper, Towns, Love, Akbari and Sparks as prime sponsors.

House Bill No. 768 Rep. Daniel as prime sponsor.

House Bill No. 1264 Reps. Clemmons, Gilmore, Hardaway, Rogers and Parkinson as prime sponsors.

House Bill No. 1278 Rep. Akbari as prime sponsor.

House Bill No. 1384 Reps. Clemmons and Gilmore as prime sponsors.

**MESSAGE FROM THE SENATE
March 31, 2017**

MADAM SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 213, 218 and 219; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
March 31, 2017**

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos. 78, 249, 251, 252, 253, 256, 257 and 269; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

SIGNED
March 31, 2017

The Speaker announced that she had signed the following: Senate Joint Resolutions Nos. 78, 249, 251, 252, 253, 256, 257 and 269.

TAMMY LETZLER, Chief Clerk

MESSAGE FROM THE SENATE
April 3, 2017

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill No. 286; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

Senate Bill No. 286 -- Election Laws - As introduced, permits an absentee ballot to be sent to an address within a county, regardless of whether the voter requesting the absentee ballot possesses a commercial driver license or a valid transportation worker identification credential. - Amends TCA Title 2, Chapter 6. by *Lundberg. (*HB162 by *Crawford, *Hulsey, *Hill T, *Rudd, *Ramsey)

MESSAGE FROM THE SENATE
April 3, 2017

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No. 299; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

Senate Joint Resolution No. 299 -- Memorials, Heroism - Corporal Brian Alexander, Deputy Jerry Wattenbarger, Lieutenant Eric Allman, Detective Jared Price, and Auxiliary Deputy Brian McKinney of McMinn County Sheriff's Office. by *Bell.

MESSAGE FROM THE SENATE
April 3, 2017

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill No. 519; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

***Senate Bill No. 519** -- Pets - As introduced, enacts the "Tennessee Retail Pet Store Consumer Protection Act" to provide coverage for certain veterinary expenses to persons who buy defective dogs from retail pet stores. - Amends TCA Title 44, Chapter 17. by *Massey, *Gardenhire, *Gresham. (HB568 by *Marsh, *Matheny, *Sexton C)

MESSAGE FROM THE SENATE
April 3, 2017

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos. 182, 263, 272, 273, 274, 275, 276 and 277; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

***Senate Joint Resolution No. 182** -- Memorials, Congress - Strongly urges Congress and the executive branch of the federal government to change statutes and regulations relating to Suboxone and Subutex. by *Yager.

***Senate Joint Resolution No. 263** -- General Assembly, Confirmation of Appointment - Keith Jordan, Tennessee Regulatory Authority. by *McNally, *Johnson.

Senate Joint Resolution No. 272 -- Memorials, Sports - South Greene High School Cheerleaders, TSSAA Sportsmanship Award. by *Southerland.

Senate Joint Resolution No. 273 -- Memorials, Recognition - Davis Creek Primitive Baptist Church, 220th anniversary. by *Niceley.

Senate Joint Resolution No. 274 -- Memorials, Recognition - Falcon Engineering and Robotics Team #547, Lincoln County High School. by *Tracy.

Senate Joint Resolution No. 275 -- Memorials, Personal Achievement - Caelan Tanner Townsend, Eagle Scout. by *Yager.

Senate Joint Resolution No. 276 -- Memorials, Personal Occasion - Bernice Ritt, 100th birthday. by *Dickerson.

Senate Joint Resolution No. 277 -- Memorials, Recognition - Dr. Charles Moffatt, Good Scout Award. by *Haile.

PERSONAL ORDERS

RECOGNITION IN THE WELL

Representative Halford was recognized in the Well to introduce the David Johnson Chorus who sang "I Will" by the Beatles, "Seven Bridges Road" by the Eagles and "In My Life" by the Beatles

RECOGNITION IN THE WELL

Representative Hardaway was recognized in the Well joined by Rep. Turner and the TN Black Caucus, to honor Reverend James Netters and Fred Davis for their actions in the Civil Rights Movement.

RECOGNITION IN THE WELL

Representative Eldridge was recognized in the Well to honor the family of Special Agent De'Greaun ReShun Frazier, who died in the line of duty.

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolutions were introduced and placed on the Consent Calendar for April 6, 2017:

House Resolution No. 78 -- Memorials, Personal Occasion - Roger and Karen Russell, 50th wedding anniversary. by *Keisling.

House Resolution No. 79 -- Memorials, Recognition - Observance Lodge #686, 100th Anniversary. by *Beck.

House Joint Resolution No. 239 -- Memorials, Death - Dr. William L. Sanders. by *Brooks H.

House Joint Resolution No. 240 -- Memorials, Retirement - Dr. Katie High. by *Brooks H.

House Joint Resolution No. 241 -- Memorials, Recognition - Ken and Marca Young. by *Butt.

House Joint Resolution No. 242 -- Memorials, Academic Achievement - Maleah Walker, Valedictorian, Spring Hill High School. by *Butt.

House Joint Resolution No. 243 -- Memorials, Academic Achievement - Amanda Bennett, Salutatorian, Spring Hill High School. by *Butt.

House Joint Resolution No. 244 -- Memorials, Academic Achievement - Hannah Jamerson, Top Ten, Spring Hill High School. by *Butt.

House Joint Resolution No. 245 -- Memorials, Academic Achievement - Kaitlyn Burnette, Top Ten, Spring Hill High School. by *Butt.

House Joint Resolution No. 246 -- Memorials, Academic Achievement - Yuxin Dong, Top Ten, Spring Hill High School. by *Butt.

House Joint Resolution No. 247 -- Memorials, Academic Achievement - Casey Thyen, Top Ten, Spring Hill High School. by *Butt.

House Joint Resolution No. 248 -- Memorials, Academic Achievement - Shelby Rummage, Top Ten, Spring Hill High School. by *Butt.

House Joint Resolution No. 249 -- Memorials, Academic Achievement - Haley Henderson, Top Ten, Spring Hill High School. by *Butt.

House Joint Resolution No. 250 -- Memorials, Academic Achievement - Nicholas Burleson, Top Ten, Spring Hill High School. by *Butt.

House Joint Resolution No. 251 -- Memorials, Academic Achievement - Garrett Johnson, Top Ten, Spring Hill High School. by *Butt.

**SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolutions listed were noted as being placed on the Consent Calendar for April 6, 2017:

Senate Joint Resolution No. 272 -- Memorials, Sports - South Greene High School Cheerleaders, TSSAA Sportsmanship Award. by *Southerland.

Senate Joint Resolution No. 273 -- Memorials, Recognition - Davis Creek Primitive Baptist Church, 220th anniversary. by *Niceley.

Senate Joint Resolution No. 274 -- Memorials, Recognition - Falcon Engineering and Robotics Team #547, Lincoln County High School. by *Tracy.

Senate Joint Resolution No. 275 -- Memorials, Personal Achievement - Caelan Tanner Townsend, Eagle Scout. by *Yager.

Senate Joint Resolution No. 276 -- Memorials, Personal Occasion - Bernice Ritt, 100th birthday. by *Dickerson.

Senate Joint Resolution No. 277 -- Memorials, Recognition - Dr. Charles Moffatt, Good Scout Award. by *Haile.

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

House Bill No. 1434 -- Manchester - Subject to local approval, rewrites the city charter. - Amends Chapter 65 of the Private Acts of 1905. by *Matheny.

House Bill No. 1435 -- Gallatin - Subject to local approval, authorizes the Mayor or a member of the City Council to run for another public office while Mayor or council member, as applicable. - Amends Chapter 67 of the Private Acts of 1953; as amended. by *Weaver.

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

***Senate Bill No. 194** -- Motor Vehicles - As introduced, prohibits colored, steady-burning lights to the front of a vehicle other than white or amber; prohibits colored, flashing lights to the front of a vehicle; exempts law enforcement, emergency, emergency equipment company, and security vehicles, school buses, mail carriers, and other vehicles authorized to display steady-burning or flashing lights in certain colors. - Amends TCA Title 55, Chapter 8 and Title 55, Chapter 9, Part 4. by *Overbey, *Haile. (HB332 by *Swann)

***Senate Bill No. 274** -- Criminal Offenses - As introduced, clarifies that housing and apartment complex common areas are not considered areas open to the general public for purposes of criminal trespass. - Amends TCA Section 39-11-106 and Section 39-14-405. by *Harris. (HB1264 by *Towns)

***Senate Bill No. 338** -- Secretary of State - As introduced, requires the secretary of state, when a property owner makes a request, to opine on whether property has been annexed by a municipality. - Amends TCA Title 8, Chapter 3, Part 1. by *Niceley, *Bowling. (HB1299 by *Farmer)

***Senate Bill No. 448** -- Boards and Commissions - As introduced, establishes minimum attendance requirement for members of the board of podiatric medical examiners and requires removal of members who do not meet the requirement. - Amends TCA Title 63, Chapter 3. by *Bell. (HB1090 by *Keisling)

Senate Bill No. 510 -- Alcoholic Beverages - As introduced, designates Finley Stadium in Chattanooga as a sports authority facility for purposes of on-premises consumption of alcoholic beverages. - Amends TCA Title 57, Chapter 4. by *Gardenhire. (*HB154 by *Hazlewood, *Favors, *Gravitt, *McCormick, *Carter)

***Senate Bill No. 611** -- Funeral Directors and Embalmers - As introduced, defines funeral directing to include the directing or supervising of other commemorative services, in addition to the existing services provided by law, such as supervising funerals, preparing dead human bodies for burial, disposing of dead human bodies, maintaining a place for the care of dead human bodies, and other services. - Amends TCA Title 62, Chapter 5 and Title 68. by *Jackson. (HB624 by *Eldridge)

***Senate Bill No. 614** -- Education - As introduced, encourages teacher training programs to partner with stakeholders in neurological or brain science research to provide educators with knowledge of cognitive development and how emerging research in the brain sciences can inform educational practices and policies. - Amends TCA Title 49, Chapter 5, Part 56. by *Watson, *Gresham, *Yarbro, *Norris, *Overbey. (HB695 by *Williams, *White M, *Forgety, *Akbari, *Byrd, *Kumar, *Pitts)

***Senate Bill No. 658** -- Traffic Safety - As introduced, increases the penalty for the offense of unlawful use of a portable electronic device while driving to a Class B misdemeanor if the violation results in an accident causing serious bodily injury and to a Class A misdemeanor if the accident results in death. - Amends TCA Title 55. by *Tracy. (HB864 by *Holsclaw)

Senate Bill No. 1190 -- Insurance Companies, Agents, Brokers, Policies - As introduced, requires captive insurance companies to pay certain penalties and interest on the late payment of premium taxes; authorizes certain captive insurance companies to apply for and operate under a letter of dormancy; provides for the conversion of protected cells and pure captive insurance companies; revises certain compensation provisions regarding examinations of insurance companies. - Amends TCA Title 56. by *Norris, *Overbey. (*HB302 by *Hawk, *Casada)

Senate Bill No. 1261 -- Boats, Boating - As introduced, directs TACIR to study the titling of boats. - Amends TCA Title 4, Chapter 10. by *Norris, *Southerland. (*HB1068 by *Moody)

***Senate Bill No. 1371** -- Air Pollution - As introduced, decreases the number of copies from three to two of any air quality regulations adopted by a local government through reference in the local government's ordinance or resolution that must be filed in the office of the county clerk for inspection by the public. - Amends TCA Title 68, Chapter 201. by *Johnson. (HB1405 by *Keisling)

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

House Bill No. 1429 -- Milan -- House Local Government Committee

House Bill No. 1430 -- Kenton -- House Local Government Committee

House Bill No. 1431 -- Lebanon -- House Local Government Committee

House Bill No. 1432 -- Carthage -- House Local Government Committee

House Bill No. 1433 -- Carthage -- House Local Government Committee

DELAYED BILLS REFERRED

April 3, 2017

Pursuant to **Rule No. 77**, Senate Joint Resolution No. 182 was referred to the Delayed Bills Committee.

Senate Joint Resolution No. 182 -- Memorials, Congress - Strongly urges Congress and the executive branch of the federal government to change statutes and regulations relating to Suboxone and Subutex. by *Yager.

CONSENT CALENDAR

***House Bill No. 303** -- Commerce and Insurance, Dept. of - As introduced, adds universities, colleges, community colleges, and colleges of applied technology to the list of educational institution types for which the POST commission provides services; authorizes the POST commission to collect police recruit fingerprints for criminal record checks by the TBI and FBI; and revises the circumstances under which the POST commission must issue a certificate of compliance to a recruit. - Amends TCA Section 38-8-104 and Section 38-8-107. by *Hawk, *Casada, *Crawford.

On motion, House Bill No. 303 was made to conform with **Senate Bill No. 1191**; the Senate Bill was substituted for the House Bill.

House Bill No. 1384 -- Planning, Public - As introduced, establishes authorization and procedures for housing authorities to redevelop certain areas for transit projects. - Amends TCA Title 9, Chapter 23; Title 13, Chapter 20 and Title 29, Chapter 17. by *Jernigan, *Powell.

***House Bill No. 152** -- Utilities, Utility Districts - As introduced, clarifies that for the audited financial reports of certain self-sufficient utilities, a change in net position means total revenues less all grants, capital contributions, and expenses. - Amends TCA Section 7-82-401 and Section 68-221-1010. by *Hazlewood.

On motion, House Bill No. 152 was made to conform with **Senate Bill No. 231**; the Senate Bill was substituted for the House Bill.

***House Bill No. 86** -- Property Assessors - As introduced, clarifies that property assessors may retain electronic or digital copies of property tax exemption applications to comply with existing retention requirement. - Amends TCA Section 67-5-212. by *Curcio.

On motion, House Bill No. 86 was made to conform with **Senate Bill No. 1318**; the Senate Bill was substituted for the House Bill.

***Senate Joint Resolution No. 107** -- General Assembly, Directed Studies - Requests the Department of Education and the State Board of Education to study and report on the best practices of other states relative to funding of programs focused on career preparation and postsecondary opportunities. by *Tracy.

House Bill No. 282 -- Equalization Board - As introduced, changes the standard of review for property tax appeals by limiting review to the record before the hearing examiner. - Amends TCA Section 67-5-1505 and Section 67-5-1506. by *Carr .

On motion, House Bill No. 282 was made to conform with **Senate Bill No. 238**; the Senate Bill was substituted for the House Bill.

MONDAY, APRIL 3, 2017 -- TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

***House Bill No. 588** -- Charitable Solicitations - As introduced, deletes registration requirement for professional fund raising counsel, which are persons who, for compensation, plan, manage, advise, consult, or prepare material for a charitable organization for the solicitation of contributions in this state, but do not engage any person to solicit contributions on behalf of a charitable organization. - Amends TCA Title 48, Chapter 101. by *Rudd.

On motion, House Bill No. 588 was made to conform with **Senate Bill No. 693**; the Senate Bill was substituted for the House Bill.

***House Bill No. 315** -- Health, Dept. of - As introduced, authorizes entities that regulate health professionals to issue limited licenses; makes various changes related to reporting of disciplinary matters to licensure entities. - Amends TCA Section 10-7-504; Title 63, Chapter 1, Part 1 and Title 68, Chapter 11, Part 2. by *Hawk, *Casada, *Terry, *Sexton C.

***House Bill No. 903** -- Motor Vehicles - As introduced, requires the department of safety to develop advisory guidelines for best behaviors of drivers during traffic stops. - Amends TCA Title 55, Chapter 8, Part 2. by *Kumar.

House Bill No. 365 -- Judges and Chancellors - As introduced, exempts retired judges from the duty to attend annual meetings of the state judicial conference. - Amends TCA Title 17, Chapter 3. by *Forgety.

On motion, House Bill No. 365 was made to conform with **Senate Bill No. 198**; the Senate Bill was substituted for the House Bill.

***House Bill No. 1316** -- Economic and Community Development, Dept. of - As introduced, removes requirement that agencies receiving public funding to assist businesses with sales volumes of \$200,000 or less, or with fewer than 15 employees, must annually file a report with the department detailing the agencies' success with assisting such businesses; removes requirement that the office of minority business enterprise, or other division, must file a report with the commissioner compiling the agencies' filed data and must annually report the results of the data to the general assembly. - Amends TCA Title 4, Chapter 3. by *Marsh.

***House Bill No. 28** -- Aircraft and Airports - As introduced, confers certain powers on regional airport authorities to borrow money for corporate purposes and issue revenue bonds. - Amends TCA Title 9; Title 42, Chapter 4 and Title 42, Chapter 3. by *Hill T, *Hill M, *Hulsey, *VanHuss, *Crawford, *Holsclaw.

On motion, House Bill No. 28 was made to conform with **Senate Bill No. 20**; the Senate Bill was substituted for the House Bill.

***House Bill No. 193** -- Administrative Procedure (UAPA) - As introduced, clarifies that only those administrative judges and hearing officers in the executive branch are required to complete training conducted by the department of human resources, division of training, within six months of employment. - Amends TCA Section 4-5-324. by *Sanderson.

On motion, House Bill No. 193 was made to conform with **Senate Bill No. 273**; the Senate Bill was substituted for the House Bill.

MONDAY, APRIL 3, 2017 -- TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

***House Bill No. 1217** -- Funeral Directors and Embalmers - As introduced, requires that of the 10 hours of continuing education coursework required for renewal of licensure of funeral directors and embalmers, 5 of those hours must be attended in person, which means the coursework is either completed in the physical presence of the provider of the coursework or through an interactive virtual program that requires participants to confirm their presence during the program. - Amends TCA Title 62, Chapter 5. by *Hicks.

On motion, House Bill No. 1217 was made to conform with **Senate Bill No. 1305**; the Senate Bill was substituted for the House Bill.

House Resolution No. 75 -- Memorials, Recognition - Casey Gill Summar. by *Clemmons.

House Resolution No. 76 -- Memorials, Death - Howard Stringer. by *Clemmons.

House Resolution No. 77 -- Memorials, Recognition - Kim Williams. by *Sexton J.

House Joint Resolution No. 234 -- Memorials, Sports - Upperman High School Special Olympics basketball team. by *Williams.

House Joint Resolution No. 235 -- Memorials, Academic Achievement - Isabelle Osburn, Salutatorian, Tennessee Virtual Online School. by *Pody.

House Joint Resolution No. 236 -- Memorials, Academic Achievement - Kaylee Windham, Valedictorian, Tennessee Virtual Online School. by *Pody.

House Joint Resolution No. 238 -- Memorials, Sports - Upperman High School girls' basketball team TSSAA Division I Class AA State Champions. by *Williams.

Senate Joint Resolution No. 258 -- Memorials, Recognition - Clinton Police Department. by *McNally.

Senate Joint Resolution No. 259 -- Memorials, Sports - Randy Coffman, Naismith Girls' High School Coach of the Year. by *Ketron, *Tracy.

Senate Joint Resolution No. 260 -- Memorials, Sports - Coach Kermit Davis. by *Ketron, *Tracy.

Senate Joint Resolution No. 261 -- Memorials, Recognition - Central High School, 100th anniversary. by *Beavers.

Senate Joint Resolution No. 262 -- Memorials, Sports - Middle Tennessee State University Blue Raiders. by *Ketron, *Tracy.

Senate Joint Resolution No. 264 -- Memorials, Retirement - Dr. Nancy B. Moody. by *Southerland.

Senate Joint Resolution No. 265 -- Memorials, Recognition - Great Smoky Mountains Association. by *Southerland, *Overbey.

Senate Joint Resolution No. 266 -- Memorials, Recognition - Elizabeth Hicks Williams. by *Southerland.

Senate Joint Resolution No. 267 -- Memorials, Recognition - Sergeant Brandon M. Read. by *Southerland.

Senate Joint Resolution No. 270 -- Memorials, Recognition - Georgia Willow Jones, 2017 Tennessee Tar Wars Poster Contest. by *Hensley.

Senate Joint Resolution No. 271 -- Memorials, Death - Spencer Hays. by *Dickerson, *Haile.

Senate Joint Resolution No. 287 -- Memorials, Sports - Harriman High School boys' basketball team, TSSAA Division I Class A State Champions. by *Yager.

OBJECTION--CONSENT CALENDAR

Objection was filed to the following on the Consent Calendar:

House Bill No. 1316: by Rep. Stewart

Under the rules, House Bill No. 1316, was placed at the heel of the calendar for April 6, 2017.

Pursuant to **Rule No. 50**, Rep. Dunn moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes 92
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, McCormick, McDaniel, Miller, Mitchell, Moody, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Staples, Stewart, Swann, Terry, Thompson, Tillis, Towns, Travis, Van Huss, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 92

A motion to reconsider was tabled.

REGULAR CALENDAR

***House Bill No. 39** -- DUI Offenses - As introduced, requires search warrant or written consent prior to a blood test being performed to determine alcoholic or drug content of a driver's blood. - Amends TCA Title 39, Chapter 13; Title 40, Chapter 7, Part 1 and Title 55, Chapter 10, Part 4. by *Goins. (SB134 by *Roberts)

Rep. Goins moved that House Bill No. 39 be passed on third and final consideration.

Rep. Lamberth moved adoption of Criminal Justice Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 39 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 55-10-406, is amended by deleting the section in its entirety and substituting instead the following:

(a)

(1) A law enforcement officer who has probable cause to believe that the operator of a motor vehicle is driving while under the influence of any intoxicant, controlled substance, controlled substance analogue, drug, substance affecting the central nervous system, or combination thereof as prohibited by § 55-10-401, or committing the offense of vehicular assault under § 39-13-106, aggravated vehicular assault under § 39-13-115, vehicular homicide under § 39-13-213(a)(2), or aggravated vehicular homicide under § 39-13-218, may request that the operator of the vehicle submit to a breath test, blood test, or both tests for the purpose of determining the alcohol or drug content, or both, of that operator's blood;

(2) The circumstances under which a breath test may be administered are governed by subsection (a) through subdivision (d)(4), and subsections (j)-(n). The circumstances under which a blood test may be administered are governed by subsections (e)-(n).

(b) A breath test may be administered under the following circumstances:

(1) The operator's implied consent to submit to a breath test pursuant to subdivision (d)(1);

(2) The operator's express consent to submit to a breath test;

(3) A search warrant issued in accordance with title 40, chapter 6, part 1, and Rule 41 of the Tennessee Rules of Criminal Procedure;

(4) Incident to a lawful arrest for any of the offenses set out in subdivision (a)(1); or

(5) When a breath test is required to be administered pursuant to subsection (c).

(c)

(1) A law enforcement officer shall administer a breath test for the purpose of determining the alcohol or drug content of the operator's blood if the officer has probable cause to believe that the operator of the motor vehicle:

(A) Has been involved in an accident resulting in the injury or death of another and the operator of the vehicle has committed a violation of § 39-13-106, § 39-13-115, § 39-13-213(a)(2), § 39-13-218, or § 55-10-401;

(B) Has committed a violation of § 39-13-106, § 39-13-115, § 39-13-213(a)(2), § 39-13-218, or § 55-10-401; and a passenger in the motor vehicle is a child under sixteen (16) years of age; or

(C) Has committed a violation of § 39-13-106, § 39-13-115, § 39-13-213(a)(2), § 39-13-218, or § 55-10-401 and has a prior conviction of a violation of § 39-13-106, § 39-13-115, § 39-13-213(a)(2), § 39-13-218, or § 55-10-401.

(2) The breath test shall be performed in accordance with the procedure set forth in this section and § 55-10-408, and shall be performed, when required by subdivision (c)(1), or pursuant to a search warrant described in subdivision (b)(3), regardless of whether the operator consents to the test.

(3) The results of a breath test that is required to be performed by subdivision (c)(1) may be offered as evidence by either the state or the operator of the vehicle in any court or administrative hearing or official proceeding relating to the accident or offense, subject to the Tennessee Rules of Evidence.

(d)

(1) The operator of a motor vehicle in this state is deemed to have given implied consent to a breath test for the purpose of determining the alcohol content of that operator's blood, a breath test for the purpose of determining the drug content of the operator's blood, or both tests. However, no such breath test may be administered pursuant to this section unless conducted at the direction of a law enforcement officer having probable cause to believe the operator was in violation of one (1) of the offenses set out in subsection (a).

(2) Any law enforcement officer who requests that the operator of a motor vehicle submit to a breath test authorized pursuant to subdivision (a)(1), shall, prior to conducting the test, advise the operator that refusal to submit to the breath test:

(A) Will result in the suspension by the court of the operator's driver license; and

(B) May result, depending on the operator's prior criminal history, in the operator being required to operate only a motor vehicle equipped with a functioning ignition interlock device, if the operator is convicted of a violation of § 55-10-401.

(3) If the operator is not advised of the consequences of the refusal to submit to a breath test, the court having jurisdiction over the offense for which the operator was placed under arrest shall not have the authority to suspend the license of an operator or require the operator to operate only a motor vehicle equipped with a functioning ignition interlock device pursuant to § 55-10-417.

(4) Except as may be required by a search warrant or other court order, if the operator is placed under arrest, requested by a law enforcement officer to submit to a breath test, advised of the consequences for refusing to do so, and refuses to submit, the test to which the operator refused shall not be given, and the operator shall be charged with violating subdivision (d)(1). The determination as to whether an operator violated subdivision (d)(1) shall be made:

(A) At the same time and by the same court as the court disposing of the offense for which the operator was placed under arrest, upon motion of the state;

(B) At the operator's first appearance or preliminary hearing in the general sessions court, but no later than the case being bound over to the grand jury, if the state does not make a motion pursuant to subdivision (d)(4)(A); or

(C) By the court which determines whether the operator committed the offense, if the refusal is for a misdemeanor offense.

(e) Upon a finding of probable cause for an offense specified in subsection (a), a law enforcement officer may administer a blood test for the purpose of determining the alcohol or drug content, or both, of that operator's blood only:

(1) With the consent of the operator of the vehicle and after executing the waiver set out in subsection (g);

(2) With a search warrant issued in accordance with title 40, chapter 6, part 1, and Rule 41 of the Tennessee Rules of Criminal Procedure; or

(3) Without the consent of the operator of the vehicle if, on a case by case basis, one (1) or more of the recognized exigent circumstances to the search warrant requirements exist.

(f) The implied consent given by the operator of a motor vehicle pursuant to subdivision (d)(1), is not sufficient to comply with the consent required to administer a blood test pursuant to this section. Unless the operator voluntarily signs the waiver form, a properly executed search warrant or a recognized exigent circumstance is required to obtain blood from the operator.

(g) If the operator of a motor vehicle consents to the administration of a blood test to determine the alcohol or drug content of the operator's blood in the absence of a search warrant authorizing a blood test or a recognized exigent circumstance, the operator shall sign a standardized waiver developed by the department of safety and made available to law enforcement agencies that have the authority to make arrests for the offenses specified in subsection (a). If the operator cannot read the waiver for any reason, the officer shall read the waiver to the operator. If the waiver is read to the operator, no presumption of the operator's impairment or intoxication is created and no presumption is created that the operator understood the meaning or consequences of the form the operator signed. It is not admissible in court against the operator that the waiver was read to the operator and the operator shall have the opportunity in court to present evidence that the operator did not understand the meaning or consequences of signing the form. The operator shall sign and date the waiver and the law enforcement officer shall initial the waiver.

(h)

(1)

(A) If a blood test of the operator of a motor vehicle is authorized pursuant to this section, a qualified practitioner who, acting at the written request of a law enforcement officer, withdraws blood from an operator for the purpose of conducting a test to determine the alcohol or drug content in an operator's blood, shall not incur any civil or criminal liability as a result of the withdrawing of the blood, except for any damages that may result from the negligence of the person so withdrawing.

(B) Neither the hospital nor other employer of a qualified practitioner listed in subdivision (h)(2) shall incur any civil or criminal liability as a result of the act of withdrawing blood from any operator, except in the case of negligence.

(2) For purposes of this section, a "qualified practitioner" is a:

(A) Physician;

(B) Registered nurse;

(C) Licensed practical nurse;

(D) Clinical laboratory technician;

(E) Licensed paramedic;

(F) Licensed emergency medical technician approved to establish intravenous catheters;

(G) Technologist; or

(H) A trained phlebotomist who is operating under a hospital protocol, has completed phlebotomy training through an educational entity providing such training, or has been properly trained by a current or former employer to draw blood.

(i) Any operator who is unconscious as a result of an accident or is unconscious at the time of arrest or apprehension or otherwise in a condition rendering the operator incapable of refusal, shall not be subjected to a blood test unless law enforcement has obtained a warrant or one (1) or more of the recognized exigent circumstance exceptions to a search warrant apply.

(j) Provided probable cause exists for criminal prosecution for any of the offenses specified in subsection (a), nothing in this section shall affect the admissibility into evidence in a criminal prosecution of any chemical analysis of the alcohol or drug content of the defendant's blood that was not compelled by law enforcement but was obtained while the defendant was hospitalized or otherwise receiving medical care in the ordinary course of medical treatment.

(k) Nothing in this section shall affect the admissibility in evidence, in criminal prosecutions for aggravated assault or homicide by the use of a motor vehicle only, of any chemical analysis of the alcohol or drug content of the defendant's blood that has been obtained in accordance with this section and tested according to § 55-10-408.

(l) The results of a blood test or breath test authorized and conducted in accordance with this section and § 55-10-408:

(1) Shall be reported in writing by the person making the test, shall have noted on the report the time at which the sample analyzed was obtained from the operator, and shall be made available to the operator, upon request; and

(2) Shall be admissible in evidence at the trial of any person charged with an offense specified in subsection (a).

(m) The fact that a law enforcement officer failed to request that the operator charged with an offense specified in subsection (a) submit to a blood or breath test is admissible as evidence at the trial of the charged offense.

(n)

(1) It is an offense for the operator of a motor vehicle to intentionally refuse, prevent, or obstruct the administration of a breath test or blood test to determine the alcohol or drug content of the operator's blood if:

(A)

(i) The operator is required to submit to a breath test under subsection (c) or subdivision (b)(3);

(ii) The operator is required to submit to a blood test under subdivision (e)(2) or (e)(3); or

(iii) The operator is required to submit to both a breath test and a blood test under subsection (c) or subdivision (b)(3), (e)(2), or (e)(3); and

(B) The test or tests are administered in accordance with § 55-10-408.

(2) A violation of this subsection (n) is a Class A misdemeanor.

SECTION 2. Tennessee Code Annotated, Section 55-10-407, is amended by deleting subsection (b) and substituting instead the following:

(b) If the court or jury finds that the operator refuses to submit to a blood or breath test as required by § 55-10-406(b)(3), (c), (e)(2), or (e)(3), while driving on a license that was revoked, suspended, or cancelled due to a prior conviction as defined in § 55-10-405, the driver commits a Class A misdemeanor and shall be fined not more than one thousand dollars (\$1,000), and shall be sentenced to a minimum mandatory jail or workhouse sentence of five (5) days, which shall be served consecutively, day for day, and which sentence cannot be suspended.

SECTION 3. Tennessee Code Annotated, Section 55-10-407, is further amended by deleting from subdivision (e) the language "§ 55-10-406(d)(1)" and substituting instead the language "§ 55-10-406(d)(4)".

SECTION 4. Tennessee Code Annotated, Section 55-10-408, is amended by deleting from subsection (a) the language "§ 55-10-406(b)(1)" and substituting instead the language "§ 55-10-406(h)(2)".

SECTION 5. This act shall take effect July 1, 2017, the public welfare requiring it.

MONDAY, APRIL 3, 2017 -- TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

On motion, Criminal Justice Committee Amendment No. 1 was adopted.

Rep. Goins moved that **House Bill No. 39**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 94
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, McCormick, McDaniel, Miller, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Terry, Thompson, Tillis, Towns, Travis, Van Huss, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 94

A motion to reconsider was tabled.

JOURNAL CORRECTION

Without objection, the Speaker requested that the Journal reflect that Rep. Zachary voted "aye" on **House Bill No. 39**.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following members desire to change their original stand from "not voting" to "aye" on **House Bill No. 39** and have this statement entered in the Journal: Reps. Hardaway and Turner.

REGULAR CALENDAR, CONTINUED

House Bill No. 1002 -- Education - As introduced, changes, from a written request to a signed written statement, the way in which a parent of a dual enrollment high school student authorizes the student's high school to forward the student's immunization records to the postsecondary institution. - Amends TCA Title 49, Chapter 6 and Title 49, Chapter 7. by *Goins. (*SB393 by *Gresham)

On motion, House Bill No. 1002 was made to conform with **Senate Bill No. 393**; the Senate Bill was substituted for the House Bill.

Rep. Goins moved that Senate Bill No. 393 be passed on third and final consideration.

Rep. H. Brooks moved adoption of Education Administration & Planning Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 393 by deleting all language after the enacting clause and substituting instead the following language:

SECTION 1. Tennessee Code Annotated, Section 49-7-124(e), is amended by deleting the language "The Tennessee higher education commission is" and substituting instead the language "The governing boards of each public institution of higher learning are".

SECTION 2. Tennessee Code Annotated, Section 49-7-125(c), is amended by deleting the language "The Tennessee higher education commission is" and substituting instead the language "The governing boards of each public institution of higher learning are".

SECTION 3. Tennessee Code Annotated, Section 49-7-124, is amended by adding the following language as new subsections:

(g) The governing board of each public institution of higher learning, in consultation with the department of health, shall promulgate rules regarding immunization requirements for students enrolled within each respective institution. All such rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

(h) Notwithstanding subsection (g), each public institution of higher learning shall strive to collect immunization records for students enrolling in the institution.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Education Administration & Planning Committee Amendment No. 1 was adopted.

Rep. Goins moved that **Senate Bill No. 393**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 97
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, McCormick, McDaniel, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent,

Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 97

A motion to reconsider was tabled.

***House Bill No. 307** -- Education, State Board of - As introduced, requires the board to promulgate rules to ensure the education of students incarcerated in detention centers licensed by the department of children's services by the LEA in which the detention center is located. - Amends TCA Title 37, Chapter 5, Part 1; Title 37, Chapter 5, Part 5 and Title 49, Chapter 6, Part 30. by *Hawk, *Casada, *White M, *Love, *Miller, *Cooper, *Jernigan. (SB1195 by *Norris, *Tracy, *Bowling, *Bailey, *Jackson, *Yarbro)

On motion, House Bill No. 307 was made to conform with **Senate Bill No. 1195**; the Senate Bill was substituted for the House Bill.

Rep. M. White moved that Senate Bill No. 1195 be passed on third and final consideration.

Rep. H. Brooks moved that Education Administration & Planning Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. M. White moved that **Senate Bill No. 1195** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	96
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulse, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, McCormick, McDaniel, Miller, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 96

A motion to reconsider was tabled.

***House Joint Resolution No. 166** -- General Assembly, Confirmation of Appointment - Tom Midyett, State Forestry Commission. by *Halford, *Smith.

On motion, **Senate Joint Resolution No. 175** was substituted for House Joint Resolution No. 166.

Rep. Smith moved to concur in Senate Joint Resolution No. 175.

Rep. Fitzhugh moved the previous question, which motion prevailed.

Rep. Smith moved to concur in **Senate Joint Resolution No. 175**, which motion prevailed by the following vote:

Ayes	95
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, McCormick, McDaniel, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Terry, Tillis, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

***House Bill No. 162** -- Election Laws - As introduced, permits an absentee ballot to be sent to an address within a county, regardless of whether the voter requesting the absentee ballot possesses a commercial driver license or a valid transportation worker identification credential. - Amends TCA Title 2, Chapter 6. by *Crawford, *Hulsey, *Hill T, *Rudd, *Ramsey. (SB286 by *Lundberg)

On motion, House Bill No. 162 was made to conform with **Senate Bill No. 286**; the Senate Bill was substituted for the House Bill.

Rep. Crawford moved that **Senate Bill No. 286** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	97
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, McCormick, McDaniel, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 97

A motion to reconsider was tabled.

House Bill No. 1392 -- Professions and Occupations - As introduced, allows a homeowner to cancel a contract for alarm services for a period longer than two years by giving 30 days' written notice to the alarm systems contractor after the initial two years if the homeowner has to sell the real property due to medical reasons. - Amends TCA Title 62, Chapter 32, Part 3. by *Jernigan. (*SB589 by *Yarbro)

Rep. Jernigan moved that House Bill No. 1392 be passed on third and final consideration.

Rep. Marsh moved adoption of Business and Utilities Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1392 by deleting the amendatory language of Section 1 and substituting the following:

An owner of residential property, that serves as the owner's primary residence, may cancel a contract between the owner and an alarm systems contractor for the provision of alarm system services when the term of the contract is for a period longer than two (2) years by giving thirty-days' written notice to the alarm systems contractor after the initial two (2) years in the term if:

(1) The owner is required to sell the residential property due to medical reasons; and

(2) The owner provides the alarm systems contractor with a letter from the owner's treating physician verifying the medical reasons.

On motion, Business and Utilities Committee Amendment No. 1 was adopted.

Rep. Jernigan moved that **House Bill No. 1392**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes.....	1

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, McCormick, McDaniel, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Weaver, White M., Whitson, Williams, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 95

Representatives voting no were: Goins -- 1

A motion to reconsider was tabled.

***House Bill No. 153** -- Alcoholic Beverages - As introduced, authorizes the Chattanooga Theatre Center in the city of Chattanooga to sell alcoholic beverages for consumption on its premises. - Amends TCA Section 57-4-102. by *Hazlewood, *Favors, *Gravitt, *McCormick, *Carter. (SB506 by *Gardenhire)

On motion, House Bill No. 153 was made to conform with **Senate Bill No. 506**; the Senate Bill was substituted for the House Bill.

Rep. Hazlewood moved that **Senate Bill No. 506** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	71
Noes.....	16
Present and not voting.....	7

Representatives voting aye were: Akbari, Beck, Brooks H., Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Curcio, Daniel, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Holsclaw, Hulsey, Jernigan, Johnson, Jones, Kane, Kumar, Lamberth, Littleton, Lynn, Marsh, Matheny, McCormick, McDaniel, Miller, Mitchell, Parkinson, Pitts, Powell, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Staples, Stewart, Swann, Terry, Thompson, Tillis, Towns, Travis, Turner, Weaver, White D., Whitson, Williams, Wirgau, Madam Speaker Harwell -- 71

Representatives voting no were: Butt, Byrd, Crawford, DeBerry, Dunn, Hill M., Hill T., Holt, Keisling, Lollar, Moody, Sherrell, Van Huss, White M., Windle, Zachary -- 16

Representatives present and not voting were: Alexander, Doss, Pody, Powers, Rudd, Smith, Sparks -- 7

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following members desire to change their original stand from "aye" to "no" on **Senate Bill No. 506** and have this statement entered in the Journal: Reps. Gant, Lynn and J. Sexton.

REGULAR CALENDAR, CONTINUED

***House Bill No. 154** -- Alcoholic Beverages - As introduced, designates Finley Stadium in Chattanooga as a sports authority facility for purposes of on-premises consumption of alcoholic beverages. - Amends TCA Title 57, Chapter 4. by *Hazlewood, *Favors, *Gravitt, *McCormick, *Carter. (SB510 by *Gardenhire)

On motion, House Bill No. 154 was made to conform with **Senate Bill No. 510**; the Senate Bill was substituted for the House Bill.

MONDAY, APRIL 3, 2017 -- TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

Rep. Hazlewood moved that **Senate Bill No. 510** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 71
Noes..... 15
Present and not voting..... 7

Representatives voting aye were: Akbari, Beck, Brooks H., Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Holsclaw, Hulsey, Jernigan, Johnson, Jones, Kane, Kumar, Lamberth, Littleton, Marsh, Matheny, McCormick, McDaniel, Miller, Mitchell, Parkinson, Pitts, Powell, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Shaw, Sherrell, Staples, Stewart, Swann, Terry, Thompson, Tillis, Towns, Travis, Turner, Weaver, White D., Whitson, Williams, Wirgau, Madam Speaker Harwell -- 71

Representatives voting no were: Byrd, DeBerry, Dunn, Hill M., Hill T., Holt, Keisling, Lollar, Lynn, Moody, Sexton J., Van Huss, White M., Windle, Zachary -- 15

Representatives present and not voting were: Alexander, Butt, Pody, Powers, Rudd, Smith, Sparks -- 7

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "aye" to "no" on **Senate Bill No. 510** and have this statement entered in the Journal: Rep. Gant.

REGULAR CALENDAR, CONTINUED

House Bill No. 471 -- Funeral Directors and Embalmers - As introduced, removes social security number from the information that a funeral establishment must include on the permanent identification device attached to a dead human body prior to interment. - Amends TCA Section 62-5-313. by *Hazlewood. (*SB428 by *Stevens)

On motion, House Bill No. 471 was made to conform with **Senate Bill No. 428**; the Senate Bill was substituted for the House Bill.

Rep. Hazlewood moved that Senate Bill No. 428 be passed on third and final consideration.

Rep. Marsh moved that Business and Utilities Committee Amendment No. 1 be withdrawn, which motion prevailed.

MONDAY, APRIL 3, 2017 -- TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

Rep. Hazlewood moved that **Senate Bill No. 428** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes.....	0
Present and not voting.....	1

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, McCormick, McDaniel, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 95

Representatives present and not voting were: Powers -- 1

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "aye" on **Senate Bill No. 428** and have this statement entered in the Journal: Rep. Gravitt.

REGULAR CALENDAR, CONTINUED

***House Bill No. 266** -- Naming and Designating - As introduced, establishes the month of April as "Tennessee Craft Beer and Cider Month." - Amends TCA Title 4, Chapter 1, Part 4. by *Hazlewood, *Daniel. (SB281 by *Lundberg, *Harris)

On motion, House Bill No. 266 was made to conform with **Senate Bill No. 281**; the Senate Bill was substituted for the House Bill.

Rep. Hazlewood moved that **Senate Bill No. 281** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	74
Noes.....	11
Present and not voting.....	9

Representatives voting aye were: Akbari, Beck, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Kumar, Lamberth, Littleton, Lynn, Marsh, Matheny, McCormick, McDaniel, Miller, Mitchell, Parkinson, Pitts, Powell, Ragan,

MONDAY, APRIL 3, 2017 -- TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Shaw, Sherrell, Staples, Stewart, Swann, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Wirgau, Madam Speaker Harwell -- 74

Representatives voting no were: Brooks H., Byrd, DeBerry, Dunn, Gant, Holt, Keisling, Moody, Sexton J., Smith, Zachary -- 11

Representatives present and not voting were: Alexander, Butt, Doss, Lollar, Pody, Powers, Rudd, Sparks, Windle -- 9

A motion to reconsider was tabled.

***House Bill No. 577** -- Courts, Juvenile - As introduced, requires an adjudicating court to inform a child of the need to petition the court for expunction of a juvenile record; requires the administrative office of the courts to create and distribute an expunction petition form; requires juvenile court clerks to make the expunction petition form available to all petitioners, and to send notice of the right to petition for expunction to a child when the child attains 17 years of age. - Amends TCA Section 37-1-153. by *Curcio, *Jernigan. (SB1244 by *Norris)

Rep. Curcio moved that House Bill No. 577 be passed on third and final consideration.

Rep. Lamberth moved adoption of Criminal Justice Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 577 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 37-1-153(f), is amended by inserting the following language as a new subdivision (2) and renumbering the existing subdivisions accordingly:

(2) The court shall inform the child, at the time of adjudication, of the need to file a motion to expunge the child's juvenile record. The administrative office of the courts shall create a motion that can be completed by a child and shall be circulated to all juvenile court clerks. All juvenile court clerks shall make this model expunction motion accessible to all children.

SECTION 2. This act shall take effect July 1, 2017, the public welfare requiring it.

On motion, Criminal Justice Committee Amendment No. 1 was adopted.

MONDAY, APRIL 3, 2017 -- TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

Rep. Curcio moved that **House Bill No. 577**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 96
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, McCormick, McDaniel, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 96

A motion to reconsider was tabled.

House Bill No. 166 -- Pensions and Retirement Benefits - As introduced, removes the 90-day limitation on a retired member of the Tennessee consolidated retirement system working as a substitute teacher. - Amends TCA Title 8, Chapter 36 and Title 49. by *Pitts. (*SB156 by *Green, *Overbey)

Rep. Pitts moved that House Bill No. 166 be passed on third and final consideration.

Rep. Sargent moved adoption of Pensions and Insurance Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 166 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 8-36-805(3), is amended by deleting the subdivision and substituting instead the following language:

The retired member may work in addition to the one hundred twenty (120) days prescribed above if employed as a substitute teacher in a public school system; provided, that the director of such school system certifies to the division of retirement that no other qualified personnel are available to substitute teach during such period, and that the compensation payable to the retired member for such work does not exceed the rate of compensation set by the public school system for substitute teachers filling similar vacant positions; and provided further, that the total salary paid to any such retired member for teaching during the twelve-month period shall not exceed the pertinent pro rata share of average salary being paid at the institution in the academic discipline concerned;

SECTION 2. This act shall take effect July 1, 2017, the public welfare requiring it.

On motion, Pensions and Insurance Amendment No. 1 was adopted.

Rep. Pitts moved that **House Bill No. 166**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 97
Noes 0

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, McCormick, McDaniel, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 97

A motion to reconsider was tabled.

***House Bill No. 147** -- Local Education Agencies - As introduced, permits an LEA to file annually with the commissioner of education written policies and procedures developed and adopted by the board, in consultation with local law enforcement, to authorize a school resource officer to patrol within a three-mile radius of the officer's assigned school. - Amends TCA Title 49, Chapter 6. by *Parkinson, *Sexton C. (SB217 by *Tate)

Rep. Parkinson moved that House Bill No. 147 be passed on third and final consideration.

Rep. H. Brooks moved adoption of Education Administration & Planning Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 147 by deleting all language after the enacting clause and substituting the following:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 6, Part 42, is amended by adding the following language as a new section:

(a) As used in this section, "school security officer" means an individual who is employed exclusively by the local school board or LEA for the purpose of:

- (1) Maintaining order and discipline;
- (2) Preventing crime;
- (3) Investigating violations of school board policies;

(4) Returning students who may be in violation of the law, school board, or LEA policies to school property or to a school-sponsored event until the officer can place the student into the custody of the school administrator or the administrator's designee, the school resources officer, or the appropriate law enforcement officer; and

(5) Ensuring the safety, security, and welfare of all students, faculty, staff, and visitors in an assigned school.

(b) Each LEA may develop and adopt, in consultation with the appropriate local law enforcement agency, a policy that authorizes a school security officer employed by the LEA to patrol within a one-mile radius of the security officer's assigned school, but not to exceed the boundaries of the assigned school's LEA.

(c) If an LEA adopts a policy pursuant to subsection (a) then the LEA shall file a copy of the policy with the appropriate local chief law enforcement officer.

(d) In patrolling the one-mile radius of the school, the school security officer shall:

(1) Only patrol for violations of the law that involve minors, including truancy; and

(2) Immediately notify the appropriate local law enforcement agency of any violation of the law if the school security officer reasonably believes the individual committing the act to be a minor.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Education Administration & Planning Committee Amendment No. 1 was adopted.

Rep. Parkinson moved that **House Bill No. 147**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes.....	0
Present and not voting.....	1

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, McCormick, McDaniel, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Terry, Thompson, Tillis,

Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 95

Representatives present and not voting were: Hulse -- 1

A motion to reconsider was tabled.

***House Bill No. 527** -- Alcoholic Beverage Commission - As introduced, requires the commission to report the number of premier type tourist resort licensees for calendar year 2017 to the appropriate standing committees of the general assembly no later than February 1, 2018. - Amends TCA Title 57, Chapter 4, Part 1. by *McCormick. (SB542 by *Gardenhire)

Rep. McCormick moved that House Bill No. 527 be passed on third and final consideration.

Rep. Ramsey moved adoption of State Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 527 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 57-4-102(27), is amended by adding the following language as a new subdivision (C):

(C) "Premises," when:

(i) Referring to one (1) or more establishments licensed under this chapter; and

(ii) Such establishments are located:

(a) Within a home rule municipality in a county with a population of not less than three hundred thirty-six thousand four hundred (336,400) and not more than three hundred thirty-six thousand five hundred (336,500), according to the 2010 federal census or any subsequent federal census; and

(b) Within or adjacent to an area that is a five hundred seventy-five foot (575') paver lined street with a right of way that is approximately forty feet (40') wide extending from Market Street on the western boundary to Rossville Avenue on the eastern boundary; that is bordered along its northern boundary by a historic railroad terminal station that has been listed on the National Register of Historic Places since 1974; and that is bordered along its northern boundary by property zoned for urban-industrial mixed use and along its southern boundary by property that is zoned for urban-commercial mixed use;

includes the area described in subdivision (27)(C)(ii)(b). The granting of a license for a business located within or adjacent to the boundaries of the area described in subdivision (27)(C)(ii)(b) does not preclude the granting of another license to another establishment located within or adjacent to such area;

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, State Government Committee Amendment No. 1 was adopted.

Rep. McCormick moved that **House Bill No. 527**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	70
Noes.....	17
Present and not voting.....	7

Representatives voting aye were: Akbari, Beck, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Curcio, Daniel, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Holsclaw, Hulsey, Jernigan, Johnson, Jones, Kane, Kumar, Lamberth, Littleton, Lynn, Marsh, Matheny, McCormick, McDaniel, Miller, Mitchell, Parkinson, Pitts, Powell, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Shaw, Sherrell, Sparks, Staples, Stewart, Swann, Terry, Thompson, Tillis, Towns, Travis, Turner, Weaver, White D., Whitson, Williams, Wirgau, Madam Speaker Harwell -- 70

Representatives voting no were: Brooks H., Byrd, Crawford, DeBerry, Dunn, Gant, Hill M., Hill T., Holt, Keisling, Lollar, Moody, Sexton J., Van Huss, White M., Windle, Zachary -- 17

Representatives present and not voting were: Alexander, Butt, Doss, Pody, Powers, Rudd, Smith -- 7

A motion to reconsider was tabled.

***House Bill No. 768** -- Taxes, Personal Property - As introduced, clarifies that a delinquent tax attorney preparing to seize personal property may, when delivering notice by mail, deliver the notice by certified, registered, or first class mail. - Amends TCA Title 67, Chapter 5. by *Howell. (SB907 by *Bell)

Rep. Howell moved that House Bill No. 768 be passed on third and final consideration.

Rep. Wirgau moved adoption of Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 768 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 67-5-801, is amended by redesignating the language in subdivision (c)(2) as a new subdivision (c)(2)(A) and adding the following language as a new subdivision (c)(2)(B):

(B) When a mobile home attached to real property as described in § 67-5-802 is used as a residence, the assessor of property may presume the classification is residential.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it, and shall apply to all tax years beginning on or after January 1, 2017.

On motion, Local Government Committee Amendment No. 1 was adopted.

Rep. Howell moved that **House Bill No. 768**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 92
Noes 1

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lynn, Marsh, Matheny, McCormick, McDaniel, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Terry, Thompson, Tillis, Towns, Travis, Van Huss, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 92

Representatives voting no were: Hardaway -- 1

A motion to reconsider was tabled.

***House Bill No. 321** -- Safety, Dept. of - As introduced, requires the division of protective services to provide police services for all state office buildings; requires the division to oversee the state facility protection officer program in conjunction with the commissioner of safety or the commissioner's designee; requires that certain officer commissions be issued only to persons assigned to property owned or leased by the state. - Amends TCA Section 4-3-2006 and Section 4-3-2019. by *Hawk, *Casada, *Sherrell. (SB1211 by *Norris, *Jackson)

On motion, House Bill No. 321 was made to conform with **Senate Bill No. 1211**; the Senate Bill was substituted for the House Bill.

MONDAY, APRIL 3, 2017 -- TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

Rep. Sherrell moved that **Senate Bill No. 1211** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 95
Noes..... 2

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, McCormick, McDaniel, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Swann, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 95

Representatives voting no were: Hardaway, Stewart -- 2

A motion to reconsider was tabled.

***House Bill No. 736** -- Driver Licenses - As introduced, permits a judge to consider a criminal defendant's participation in recovery court as a hardship sufficient to order the stay of a criminal defendant's driver license revocation for failing to pay fines, court costs, and litigation taxes. - Amends TCA Section 40-24-105. by *Rogers, *Lamberth, *Gilmore. (SB823 by *Haile, *Harris, *Yarbro)

On motion, House Bill No. 736 was made to conform with **Senate Bill No. 823**; the Senate Bill was substituted for the House Bill.

Rep. Rogers moved that **Senate Bill No. 823** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 94
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, McCormick, McDaniel, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Windle, Madam Speaker Harwell -- 94

A motion to reconsider was tabled.

***House Bill No. 61** -- Firearms and Ammunition - As introduced, treats a licensed firearms dealer the same as a private citizen by allowing the dealer to occasionally sell, exchange, or transfer firearms from the dealer's personal collection without conducting a background check on the buyer. - Amends TCA Title 39, Chapter 17, Part 13. by *Rogers. (SB145 by *Beavers)

Rep. Rogers moved that House Bill No. 61 be passed on third and final consideration.

Rep. Farmer moved adoption of Civil Justice Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 61 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 39-17-1316, is amended by deleting subsection (l) and substituting instead the following:

(l)

(1) The following transactions or transfers are exempt from the criminal history record check requirement of subdivision (c)(3):

(A) Transactions between licensed:

(i) Importers;

(ii) Manufacturers;

(iii) Dealers; and

(iv) Collectors who meet the requirements of subsection (b) and certify prior to the transaction the legal and licensed status of both parties;

(B) Transactions or transfers between a licensed importer, licensed manufacturer, or licensed dealer and a bona fide law enforcement agency or the agency's personnel. However, all other requirements of subsection (c) are applicable to a transaction or transfer under this subdivision (l)(1)(B); and

(C) Transactions by a gun dealer, as defined in subdivision (b)(2), making occasional sales, exchanges, or transfers of firearms that comprise all or part of the gun dealer's personal collection of firearms.

(2) The burden of proving the legality of any transaction or transfer under this subsection (I) is upon the transferor.

SECTION 2. Tennessee Code Annotated, Section 39-17-1316, is further amended by adding the following as a new subsection:

The criminal history records check required by this section shall not apply to an occasional sale of a used or second-hand firearm by a person who is not engaged in the business of importing, manufacturing, or dealing in firearms, pursuant to 18 U.S.C. §§ 921 and 923.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Civil Justice Committee Amendment No. 1 was adopted.

Rep. Goins moved the previous question, which motion prevailed.

Rep. Rogers moved that **House Bill No. 61**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	78
Noes.....	14
Present and not voting.....	1

Representatives voting aye were: Alexander, Brooks H., Brooks K., Butt, Byrd, Calfee, Carr, Carter, Casada, Coley, Crawford, Curcio, Daniel, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lynn, Marsh, Matheny, McCormick, McDaniel, Moody, Pody, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Swann, Terry, Tillis, Towns, Travis, Van Huss, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 78

Representatives voting no were: Clemmons, Cooper, DeBerry, Hardaway, Jernigan, Jones, Love, Miller, Mitchell, Parkinson, Powell, Stewart, Thompson, Turner -- 14

Representatives present and not voting were: Camper -- 1

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "no" to "aye" on **House Bill No. 61** and have this statement entered in the Journal: Rep. DeBerry.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "aye" to "no" on **House Bill No. 61** and have this statement entered in the Journal: Rep. Staples.

REGULAR CALENDAR, CONTINUED

House Bill No. 1264 -- Criminal Offenses - As introduced, clarifies that housing and apartment complex common areas are not considered areas open to the general public for purposes of criminal trespass. - Amends TCA Section 39-11-106 and Section 39-14-405. by *Towns. (*SB274 by *Harris)

On motion, House Bill No. 1264 was made to conform with **Senate Bill No. 274**; the Senate Bill was substituted for the House Bill.

Rep. Towns moved that Senate Bill No. 274 be passed on third and final consideration.

Rep. Lamberth moved that Criminal Justice Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Towns moved that **Senate Bill No. 274** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes.....	0
Present and not voting.....	1

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulse, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, McCormick, McDaniel, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Weaver, White M., Whitson, Williams, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 95

Representatives present and not voting were: Camper -- 1

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "aye" to "present and not voting" on **Senate Bill No. 274** and have this statement entered in the Journal: Rep. Akbari.

REGULAR CALENDAR, CONTINUED

***House Bill No. 636** -- Juvenile Offenders - As introduced, makes various changes to the expunction of juvenile court records, including creating a process for the expunction of juvenile court records for cases in which the juvenile successfully completed pretrial or judicial diversion. - Amends TCA Section 37-1-153 and Section 40-32-101. by *Akbari. (SB1253 by *Norris)

Rep. Akbari moved that House Bill No. 636 be passed on third and final consideration.

Rep. Lamberth moved adoption of Criminal Justice Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 636 by deleting the word "petitioner" in SECTION 6(7) and substituting instead the word "movant".

On motion, Criminal Justice Committee Amendment No. 1 was adopted.

Rep. Akbari moved that **House Bill No. 636**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, McCormick, McDaniel, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Weaver, White M., Whitson, Williams, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 96

A motion to reconsider was tabled.

House Bill No. 568 -- Pets - As introduced, enacts the "Tennessee Retail Pet Store Consumer Protection Act" to provide coverage for certain veterinary expenses to persons who buy defective dogs from retail pet stores. - Amends TCA Title 44, Chapter 17. by *Marsh, *Matheny, *Sexton C. (*SB519 by *Massey, *Gardenhire, *Gresham)

Further consideration of House Bill No. 568, previously considered on March 30, 2017, at which time it was reset for today's Calendar.

On motion, House Bill No. 568 was made to conform with **Senate Bill No. 519**; the Senate Bill was substituted for the House Bill.

Rep. Marsh moved that Senate Bill No. 519 be passed on third and final consideration.

Rep. Casada moved that Senate Bill No. 519 be re-referred to the Local Government Committee.

Rep. Marsh moved the motion to re-refer Senate Bill No. 519 to Local Government Committee to the table, which motion failed by the following vote:

Ayes	29
Noes	56

Representatives voting aye were: Calfee, Carter, Doss, Eldridge, Faison, Forgety, Goins, Gravitt, Halford, Hazlewood, Hicks, Hill M., Holsclaw, Holt, Howell, Johnson, Keisling, Lamberth, Marsh, Matheny, Powers, Rogers, Sexton C., Shaw, Tillis, Weaver, White M., Williams, Wirgau -- 29

Representatives voting no were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Camper, Carr, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, Dunn, Farmer, Favors, Fitzhugh, Gant, Gilmore, Hardaway, Hill T., Hulsey, Jernigan, Jones, Kane, Kumar, Lollar, Love, Lynn, McCormick, McDaniel, Miller, Mitchell, Parkinson, Pitts, Pody, Powell, Ragan, Ramsey, Rudd, Sexton J., Sherrell, Smith, Sparks, Staples, Swann, Terry, Thompson, Towns, Turner, Van Huss, Whitson, Windle, Zachary -- 56

Rep. Casada moved that Senate Bill No. 519 be re-referred to the Local Government Committee, which motion failed by the following vote:

Ayes	39
Noes	54

Representatives voting aye were: Akbari, Beck, Camper, Casada, Clemmons, Crawford, Daniel, Doss, Fitzhugh, Hawk, Holsclaw, Jernigan, Jones, Kane, Lollar, Love, Lynn, McCormick, Miller, Mitchell, Parkinson, Pitts, Powell, Ragan, Ramsey, Rogers, Rudd, Sanderson, Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Van Huss, Windle, Zachary -- 39

Representatives voting no were: Alexander, Brooks H., Brooks K., Butt, Byrd, Calfee, Carr, Carter, Coley, Cooper, Curcio, DeBerry, Eldridge, Faison, Farmer, Favors, Forgety, Gant, Goins, Gravitt, Halford, Hardaway, Hazlewood, Hicks, Hill M., Hill T., Holt, Howell, Hulsey, Johnson, Keisling, Kumar, Lamberth, Littleton, Marsh, Matheny, McDaniel, Moody, Pody, Powers, Reedy, Sexton C., Sexton J., Swann, Tillis, Towns, Travis, Turner, Weaver, White D., White M., Whitson, Williams, Wirgau -- 54

Rep. Halford moved that Agriculture and Natural Resources Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Halford moved that Agriculture and Natural Resources Committee Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Wirgau moved that Local Government Committee Amendment No. 1, as House Amendment No. 3, be withdrawn, which motion prevailed.

Rep. Smith moved adoption of House Amendment No. 4 as follows:

Amendment No. 4

AMEND Senate Bill No. 519 by inserting the following new section immediately preceding the last section and renumbering the subsequent section accordingly:

SECTION _____. This act shall not apply in counties having a population of not less than four hundred thirty-two thousand two hundred (432,200) nor more than four hundred thirty-two thousand three hundred (432,300), according to the 2010 federal census or any subsequent federal census.

Rep. Marsh moved that House Amendment No. 4 be tabled, which motion failed by the following vote:

Ayes 45
Noes..... 47

Representatives voting aye were: Brooks H., Butt, Byrd, Calfee, Carter, Casada, Curcio, Daniel, DeBerry, Doss, Eldridge, Faison, Forgety, Goins, Gravitt, Halford, Hazlewood, Hicks, Holsclaw, Holt, Howell, Hulsey, Johnson, Kane, Kumar, Lamberth, Littleton, Lollar, Marsh, Matheny, McDaniel, Moody, Powers, Ragan, Reedy, Rudd, Sexton C., Sexton J., Shaw, Sparks, Tillis, Weaver, White M., Williams, Wirgau -- 45

Representatives voting no were: Akbari, Beck, Camper, Carr, Clemmons, Cooper, Crawford, Dunn, Farmer, Favors, Fitzhugh, Gant, Gilmore, Hardaway, Hill M., Hill T., Jernigan, Jones, Keisling, Love, Lynn, McCormick, Miller, Mitchell, Parkinson, Pitts, Pody, Powell, Ramsey, Rogers, Sanderson, Sherrell, Smith, Staples, Stewart, Swann, Terry, Thompson, Towns, Travis, Turner, Van Huss, White D., Whitson, Windle, Zachary, Madam Speaker Harwell -- 47

On motion, House Amendment No. 4 failed by the following vote:

Ayes 44
Noes..... 45

Representatives voting aye were: Akbari, Beck, Brooks H., Calfee, Camper, Carr, Clemmons, Dunn, Farmer, Fitzhugh, Forgety, Gant, Gilmore, Hardaway, Hawk, Hill M., Hill T., Howell, Jernigan, Jones, Kane, Keisling, Lynn, Marsh, Matheny, McCormick, Mitchell, Moody, Parkinson, Pitts, Pody, Ramsey, Rogers, Sanderson, Shaw, Sherrell, Smith, Terry, Thompson, Turner, Williams, Wirgau, Zachary, Madam Speaker Harwell -- 44

Representatives voting no were: Butt, Byrd, Carter, Casada, Cooper, Crawford, Curcio, Daniel, Doss, Eldridge, Faison, Favors, Goins, Gravitt, Halford, Hazlewood, Hicks, Holsclaw, Holt, Hulsey, Johnson, Kumar, Lamberth, Lollar, Love, McDaniel, Miller, Powell, Powers, Ragan, Reedy, Rudd, Sexton C., Sexton J., Sparks, Staples, Stewart, Swann, Tillis, Towns, Travis, Van Huss, Weaver, White M., Windle -- 45

Rep. Carr moved adoption of House Amendment No. 5 as follows:

Amendment No. 5

AMEND Senate Bill No. 519 by inserting the following new section immediately preceding the last section and renumbering the subsequent section accordingly:

SECTION _____. This act shall not apply in counties having a population of not less than eighty-nine thousand eight hundred (89,800) nor more than eighty-nine thousand nine hundred (89,900), according to the 2010 federal census or any subsequent federal census.

Rep. Marsh moved that House Amendment No. 5 be tabled, which motion failed by the following vote:

Ayes 42
Noes 52

Representatives voting aye were: Alexander, Brooks H., Brooks K., Butt, Byrd, Calfee, Carter, Casada, Curcio, Daniel, Doss, Eldridge, Faison, Forgety, Goins, Gravitt, Halford, Hazlewood, Hicks, Holt, Howell, Hulsey, Johnson, Kumar, Lamberth, Marsh, Matheny, McDaniel, Powers, Ragan, Reedy, Sexton C., Sexton J., Shaw, Sherrell, Sparks, Tillis, Weaver, White M., Williams, Wirgau, Zachary -- 42

Representatives voting no were: Akbari, Beck, Camper, Carr, Clemmons, Coley, Cooper, Crawford, DeBerry, Dunn, Farmer, Favors, Fitzhugh, Gant, Gilmore, Hardaway, Hawk, Hill M., Hill T., Holsclaw, Jernigan, Jones, Kane, Keisling, Lollar, Love, Lynn, McCormick, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Ramsey, Rogers, Rudd, Sanderson, Smith, Staples, Stewart, Swann, Terry, Thompson, Towns, Travis, Turner, Van Huss, Whitson, Windle, Madam Speaker Harwell -- 52

On motion, House Amendment No. 5 failed by the following vote:

Ayes 46
Noes 46

Representatives voting aye were: Akbari, Beck, Camper, Carr, Clemmons, Coley, Cooper, Crawford, DeBerry, Dunn, Farmer, Favors, Fitzhugh, Gant, Gilmore, Hardaway, Hawk, Hill M., Hill T., Jernigan, Jones, Keisling, Lollar, Love, Lynn, McCormick, Mitchell, Parkinson, Pitts, Pody, Powell, Ramsey, Rogers, Rudd, Smith, Staples, Stewart, Swann, Terry, Thompson, Towns, Turner, Van Huss, Windle, Zachary, Madam Speaker Harwell -- 46

Representatives voting no were: Alexander, Brooks H., Brooks K., Butt, Byrd, Carter, Casada, Curcio, Daniel, Doss, Eldridge, Faison, Forgety, Goins, Gravitt, Halford, Hazlewood, Hicks, Holsclaw, Holt, Howell, Hulsey, Johnson, Kane, Kumar, Littleton, Marsh, Matheny, McDaniel, Miller, Moody, Powers, Ragan, Reedy, Sanderson, Sexton C., Sexton J., Shaw, Sparks, Tillis, Travis, Weaver, White M., Whitson, Williams, Wirgau -- 46

Rep. Lynn moved adoption of House Amendment No. 6 as follows:

Amendment No. 6

AMEND Senate Bill No. 519 by inserting the following new section immediately preceding the last section and renumbering the subsequent section accordingly:

SECTION _____. This act shall not apply in any county with a population of not less than one hundred thirteen thousand nine hundred (113,900) and not more than one hundred fourteen thousand (114,000), according to the 2010 federal census or any subsequent federal census.

Rep. Marsh moved that House Amendment No. 6 be tabled, which motion failed by the following vote:

Ayes 42
Noes 53

Representatives voting aye were: Alexander, Brooks H., Brooks K., Butt, Byrd, Calfee, Carter, Casada, Curcio, DeBerry, Doss, Eldridge, Faison, Forgety, Goins, Gravitt, Halford, Hazlewood, Hicks, Holt, Howell, Hulsey, Johnson, Kumar, Lamberth, Littleton, Marsh, Matheny, McDaniel, Powers, Ragan, Reedy, Sexton C., Sexton J., Shaw, Sherrell, Sparks, Tillis, Weaver, White M., Williams, Wirgau -- 42

Representatives voting no were: Akbari, Beck, Camper, Carr, Clemmons, Coley, Cooper, Crawford, Daniel, Dunn, Farmer, Favors, Fitzhugh, Gant, Gilmore, Hardaway, Hawk, Hill M., Hill T., Holsclaw, Jernigan, Jones, Kane, Keisling, Lollar, Love, Lynn, McCormick, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Ramsey, Rogers, Rudd, Sanderson, Smith, Staples, Stewart, Swann, Terry, Thompson, Towns, Travis, Turner, Van Huss, Whitson, Windle, Zachary, Madam Speaker Harwell -- 53

On motion, House Amendment No. 6 failed by the following vote:

Ayes 46
Noes 48

Representatives voting aye were: Akbari, Beck, Camper, Clemmons, Coley, Cooper, Crawford, Dunn, Farmer, Favors, Fitzhugh, Gant, Gilmore, Hardaway, Hawk, Hill T., Jernigan, Jones, Kane, Keisling, Lollar, Love, Lynn, McCormick, Miller, Mitchell, Parkinson, Pitts, Pody, Powell, Ramsey, Rogers, Rudd, Sanderson, Smith, Staples, Stewart, Swann, Terry, Thompson, Towns, Turner, Van Huss, Whitson, Windle, Madam Speaker Harwell -- 46

Representatives voting no were: Alexander, Brooks H., Brooks K., Butt, Byrd, Calfee, Carr, Carter, Casada, Curcio, Daniel, Doss, Eldridge, Faison, Forgety, Goins, Gravitt, Halford, Hazlewood, Hicks, Hill M., Holsclaw, Holt, Howell, Hulsey, Johnson, Kumar, Lamberth, Littleton, Marsh, Matheny, McDaniel, Moody, Powers, Ragan, Reedy, Sexton C., Sexton J., Shaw, Sherrell, Sparks, Tillis, Travis, Weaver, White M., Williams, Wirgau, Zachary -- 48

Rep. Jernigan moved adoption of House Amendment No. 7 as follows:

Amendment No. 7

AMEND Senate Bill No. 519 by inserting the following new section immediately preceding the last section and renumbering the subsequent section accordingly:

SECTION _____. This act shall not apply in any county having a metropolitan form of government and a population in excess of five hundred thousand (500,000), according to the 2010 federal census or any subsequent federal census.

Rep. Marsh moved that House Amendment No. 7 be tabled, which motion prevailed by the following vote:

Ayes	47
Noes	44

Representatives voting aye were: Alexander, Brooks H., Brooks K., Butt, Byrd, Calfee, Carter, Casada, Coley, Curcio, Daniel, Doss, Eldridge, Faison, Forgety, Gant, Goins, Gravitt, Halford, Hazlewood, Hicks, Holt, Howell, Johnson, Kumar, Lamberth, Littleton, Marsh, Matheny, McDaniel, Powers, Ragan, Reedy, Sexton C., Sexton J., Shaw, Sherrell, Sparks, Tillis, Travis, Weaver, White D., White M., Williams, Wirgau, Zachary, Madam Speaker Harwell -- 47

Representatives voting no were: Akbari, Camper, Carr, Clemmons, Cooper, Crawford, DeBerry, Dunn, Farmer, Favors, Fitzhugh, Gilmore, Hardaway, Hawk, Hill M., Hill T., Holsclaw, Jernigan, Jones, Kane, Keisling, Love, Lynn, McCormick, Miller, Mitchell, Parkinson, Pitts, Pody, Powell, Ramsey, Rogers, Rudd, Sanderson, Smith, Staples, Swann, Terry, Thompson, Towns, Turner, Van Huss, Whitson, Windle -- 44

Rep. Williams moved that House Amendment No. 8 be withdrawn, which motion prevailed.

Rep. Camper moved adoption of House Amendment No. 9 as follows:

Amendment No. 9

AMEND Senate Bill No. 519 by inserting the following new section immediately preceding the last section and renumbering the subsequent section accordingly:

SECTION _____. This act shall not apply in counties having a population of over nine hundred thousand (900,000), according to the 2010 federal census or any subsequent federal census.

Rep. Marsh moved that House Amendment No. 9 be tabled, which motion failed by the following vote:

Ayes	44
Noes.....	51

Representatives voting aye were: Alexander, Brooks H., Brooks K., Butt, Byrd, Calfee, Carter, Casada, Curcio, Daniel, Eldridge, Faison, Forgety, Goins, Gravitt, Halford, Hazlewood, Hicks, Holsclaw, Holt, Howell, Hulsey, Johnson, Kumar, Lamberth, Littleton, Marsh, Matheny, McDaniel, Powers, Ragan, Reedy, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Sparks, Tillis, Weaver, White M., Williams, Wirgau, Zachary -- 44

Representatives voting no were: Akbari, Beck, Camper, Carr, Clemmons, Coley, Cooper, Crawford, DeBerry, Dunn, Farmer, Favors, Fitzhugh, Gant, Gilmore, Hardaway, Hawk, Hill M., Hill T., Jernigan, Jones, Kane, Keisling, Lollar, Love, Lynn, McCormick, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Ramsey, Rogers, Rudd, Smith, Staples, Stewart, Swann, Terry, Thompson, Towns, Travis, Turner, Van Huss, White D., Whitson, Windle, Madam Speaker Harwell -- 51

On motion, House Amendment No. 9 failed by the following vote:

Ayes	47
Noes.....	49

Representatives voting aye were: Akbari, Beck, Camper, Clemmons, Coley, Cooper, DeBerry, Dunn, Farmer, Favors, Fitzhugh, Gant, Gilmore, Hardaway, Hawk, Hill T., Jernigan, Jones, Kane, Keisling, Lollar, Love, Lynn, McCormick, Miller, Mitchell, Parkinson, Pitts, Pody, Powell, Ramsey, Rogers, Rudd, Smith, Staples, Stewart, Swann, Terry, Thompson, Towns, Travis, Turner, Van Huss, Whitson, Windle, Zachary, Madam Speaker Harwell -- 47

Representatives voting no were: Alexander, Brooks H., Brooks K., Butt, Byrd, Calfee, Carr, Carter, Casada, Crawford, Curcio, Daniel, Doss, Eldridge, Faison, Forgety, Goins, Gravitt, Halford, Hazlewood, Hicks, Hill M., Holsclaw, Holt, Howell, Hulsey, Johnson, Kumar, Lamberth, Littleton, Marsh, Matheny, McDaniel, Moody, Powers, Ragan, Reedy, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Sparks, Tillis, Weaver, White D., White M., Williams, Wirgau -- 49

Rep. Rogers moved adoption of House Amendment No. 10 as follows:

Amendment No. 10

AMEND Senate Bill No. 519 by inserting the following new section immediately preceding the last section and renumbering the subsequent section accordingly:

SECTION____. This act shall not apply in municipalities having a population of not less than fifteen thousand nine hundred (15,900) nor more than sixteen thousand (16,000) according to the 2010 federal census or any subsequent federal census.

AND FURTHER AMEND by deleting from the first sentence of Section 44-17-805 of the amendatory language of Section 1 the language "No county or municipality" and substituting instead the language "No county or municipality to which this part applies".

Rep. Marsh moved that House Amendment No. 10 be tabled, which motion failed by the following vote:

Ayes 48
Noes 48

Representatives voting aye were: Alexander, Brooks H., Butt, Byrd, Calfee, Carr, Carter, Casada, Curcio, Daniel, Doss, Dunn, Eldridge, Faison, Forgety, Gant, Goins, Gravitt, Halford, Hazlewood, Hicks, Holsclaw, Holt, Howell, Hulsey, Johnson, Kumar, Littleton, Marsh, Matheny, McDaniel, Powers, Ragan, Reedy, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Sparks, Tillis, Weaver, White M., Williams, Wirgau, Zachary, Madam Speaker Harwell -- 48

Representatives voting no were: Akbari, Beck, Camper, Clemmons, Coley, Cooper, Crawford, DeBerry, Farmer, Favors, Fitzhugh, Gilmore, Hardaway, Hawk, Hill M., Hill T., Jernigan, Jones, Kane, Keisling, Lamberth, Lollar, Love, Lynn, McCormick, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Ramsey, Rogers, Rudd, Smith, Staples, Stewart, Swann, Terry, Thompson, Towns, Travis, Turner, Van Huss, White D., Whitson, Windle -- 48

On motion, House Amendment No. 10 failed by the following vote:

Ayes 46
Noes 50

Representatives voting aye were: Akbari, Beck, Camper, Clemmons, Coley, Cooper, Crawford, DeBerry, Dunn, Farmer, Favors, Fitzhugh, Gant, Gilmore, Hardaway, Hawk, Hill M., Hill T., Jernigan, Jones, Kane, Keisling, Love, Lynn, McCormick, Miller, Mitchell, Parkinson, Pitts, Pody, Powell, Ramsey, Rogers, Rudd, Smith, Staples, Stewart, Terry, Thompson, Towns, Turner, Van Huss, White D., Whitson, Zachary, Madam Speaker Harwell -- 46

Representatives voting no were: Alexander, Brooks H., Butt, Byrd, Calfee, Carr, Carter, Casada, Curcio, Daniel, Doss, Eldridge, Faison, Forgety, Goins, Gravitt, Halford, Hazlewood, Hicks, Holsclaw, Holt, Howell, Hulsey, Johnson, Kumar, Lamberth, Littleton, Lollar, Marsh, Matheny, McDaniel, Moody, Powers, Ragan, Reedy, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Sparks, Swann, Tillis, Travis, Weaver, White M., Williams, Windle, Wirgau -- 50

Rep. Rogers moved adoption of House Amendment No. 11 as follows:

Amendment No. 11

AMEND Senate Bill No. 519 by inserting the following new section immediately preceding the last section and renumbering the subsequent section accordingly:

SECTION____. This act shall not apply in counties having a population of not less than one hundred sixty thousand six hundred (160,600) nor more than one hundred sixty thousand seven hundred (160,700), according to the 2010 federal census or any subsequent federal census.

AND FURTHER AMEND by deleting from the first sentence of Section 44-17-805 of the amendatory language of Section 1 the language "No county or municipality" and substituting instead the language "No county or municipality to which this part applies".

Rep. Marsh moved that House Amendment No. 11 be tabled, which motion failed by the following vote:

Ayes 48
Noes 49

Representatives voting aye were: Alexander, Brooks H., Brooks K., Butt, Byrd, Calfee, Carr, Carter, Casada, Curcio, Daniel, Doss, Dunn, Eldridge, Faison, Forgety, Goins, Gravitt, Halford, Hazlewood, Hicks, Holsclaw, Holt, Howell, Hulsey, Johnson, Kumar, Lamberth, Littleton, Marsh, Matheny, McDaniel, Powers, Ragan, Reedy, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Sparks, Tillis, Travis, Weaver, White M., Williams, Wirgau -- 48

Representatives voting no were: Akbari, Beck, Camper, Clemmons, Coley, Cooper, Crawford, DeBerry, Farmer, Favors, Fitzhugh, Gant, Gilmore, Hardaway, Hawk, Hill M., Hill T., Jernigan, Jones, Kane, Keisling, Lollar, Love, Lynn, McCormick, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Ramsey, Rogers, Rudd, Smith, Staples, Stewart, Swann, Terry, Thompson, Towns, Turner, Van Huss, White D., Whitson, Windle, Zachary, Madam Speaker Harwell -- 49

On motion, House Amendment No. 11 was adopted by the following vote:

Ayes 49
Noes 48

Representatives voting aye were: Akbari, Beck, Camper, Clemmons, Coley, Cooper, Crawford, DeBerry, Dunn, Farmer, Favors, Fitzhugh, Gant, Gilmore, Hardaway, Hawk, Hill M., Hill T., Jernigan, Jones, Kane, Keisling, Lollar, Love, Lynn, McCormick, Miller, Mitchell, Parkinson, Pitts, Pody, Powell, Ramsey, Rogers, Rudd, Sanderson, Smith, Staples, Stewart, Swann, Terry, Thompson, Towns, Turner, Van Huss, White D., Windle, Zachary, Madam Speaker Harwell -- 49

Representatives voting no were: Alexander, Brooks H., Brooks K., Butt, Byrd, Calfee, Carr, Carter, Casada, Curcio, Daniel, Doss, Eldridge, Faison, Forgety, Goins, Gravitt, Halford, Hazlewood, Hicks, Holsclaw, Holt, Howell, Hulsey, Johnson, Kumar, Lamberth, Littleton, Marsh, Matheny, McDaniel, Moody, Powers, Ragan, Reedy, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Sparks, Tillis, Travis, Weaver, White M., Whitson, Williams, Wirgau -- 48

Rep. Ramsey moved adoption of House Amendment No. 12 as follows:

Amendment No. 12

AMEND Senate Bill No. 519 by inserting the following new section immediately preceding the last section and renumbering the subsequent section accordingly:

SECTION _____. This act shall not apply in counties having a population of not less than one hundred twenty-three thousand one (123,001) nor more than

one hundred twenty-three thousand one hundred (123,100), according to the 2010 federal census or any subsequent federal census.

Rep. Marsh moved that House Amendment No. 12 be tabled, which motion failed by the following vote:

Ayes 43
Noes 54

Representatives voting aye were: Alexander, Brooks H., Brooks K., Butt, Byrd, Carter, Casada, Curcio, Daniel, Doss, Eldridge, Faison, Forgety, Goins, Gravitt, Halford, Hazlewood, Hicks, Holsclaw, Holt, Howell, Hulsey, Johnson, Kumar, Lamberth, Littleton, Marsh, Matheny, McDaniel, Powers, Ragan, Reedy, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Sparks, Tillis, Weaver, White M., Williams, Wirgau -- 43

Representatives voting no were: Akbari, Beck, Calfee, Camper, Carr, Clemmons, Coley, Cooper, Crawford, DeBerry, Dunn, Farmer, Favors, Fitzhugh, Gant, Gilmore, Hardaway, Hawk, Hill M., Hill T., Jernigan, Jones, Kane, Keisling, Lollar, Love, Lynn, McCormick, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Ramsey, Rogers, Rudd, Sanderson, Smith, Staples, Stewart, Swann, Terry, Thompson, Towns, Travis, Turner, Van Huss, White D., Whitson, Windle, Zachary, Madam Speaker Harwell -- 54

On motion, House Amendment No. 12 was adopted by the following vote:

Ayes 48
Noes 45

Representatives voting aye were: Akbari, Beck, Camper, Carr, Clemmons, Coley, Cooper, Crawford, DeBerry, Dunn, Farmer, Favors, Fitzhugh, Gant, Hardaway, Hawk, Hill T., Jernigan, Jones, Kane, Keisling, Lollar, Love, Lynn, McCormick, Miller, Mitchell, Parkinson, Pitts, Pody, Powell, Ramsey, Rogers, Rudd, Sanderson, Smith, Staples, Swann, Terry, Thompson, Towns, Travis, Turner, Van Huss, Whitson, Windle, Zachary, Madam Speaker Harwell -- 48

Representatives voting no were: Alexander, Brooks H., Brooks K., Butt, Byrd, Carter, Casada, Curcio, Daniel, Doss, Eldridge, Faison, Forgety, Goins, Gravitt, Halford, Hazlewood, Hicks, Hill M., Holsclaw, Holt, Howell, Hulsey, Johnson, Kumar, Lamberth, Littleton, Marsh, Matheny, McDaniel, Moody, Powers, Ragan, Reedy, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Sparks, Tillis, Weaver, White M., Williams, Wirgau -- 45

Rep. Rogers moved adoption of House Amendment No. 13 as follows:

Amendment No. 13

AMEND Senate Bill No. 519 by inserting the following new section immediately preceding the last section and renumbering the subsequent section accordingly:

SECTION _____. This act shall not apply in municipalities having a population of not less than fifty-one thousand three hundred seventy (51,370) nor more than fifty-one

thousand three hundred seventy-nine (51,379) according to the 2010 federal census or any subsequent federal census.

AND FURTHER AMEND by deleting from the first sentence of Section 44-17-805 of the amendatory language of Section 1 the language "No county or municipality" and substituting instead the language "No county or municipality to which this part applies".

Rep. Marsh moved that House Amendment No. 13 be tabled, which motion failed by the following vote:

Ayes	45
Noes.....	50

Representatives voting aye were: Alexander, Brooks H., Brooks K., Butt, Byrd, Calfee, Carter, Casada, Crawford, Curcio, Daniel, DeBerry, Doss, Eldridge, Faison, Forgety, Goins, Gravitt, Halford, Hazlewood, Hicks, Holsclaw, Holt, Howell, Hulsey, Johnson, Kumar, Marsh, Matheny, McDaniel, Pody, Powers, Ragan, Reedy, Sexton C., Sexton J., Shaw, Sherrell, Sparks, Tillis, Travis, Weaver, White M., Williams, Wirgau -- 45

Representatives voting no were: Akbari, Beck, Camper, Carr, Clemmons, Coley, Cooper, Dunn, Farmer, Favors, Fitzhugh, Gant, Gilmore, Hardaway, Hawk, Hill M., Hill T., Jernigan, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lynn, McCormick, Miller, Mitchell, Moody, Parkinson, Pitts, Powell, Ramsey, Rogers, Rudd, Smith, Staples, Stewart, Swann, Terry, Thompson, Towns, Turner, Van Huss, White D., Whitson, Windle, Zachary, Madam Speaker Harwell -- 50

On motion, House Amendment No. 13 was adopted by the following vote:

Ayes	52
Noes.....	45

Representatives voting aye were: Akbari, Beck, Camper, Carr, Carter, Clemmons, Coley, Cooper, Crawford, DeBerry, Dunn, Farmer, Favors, Fitzhugh, Gant, Gilmore, Hardaway, Hawk, Hill T., Jernigan, Jones, Kane, Keisling, Lamberth, Lollar, Love, Lynn, McCormick, Miller, Mitchell, Parkinson, Pitts, Pody, Powell, Ramsey, Rogers, Rudd, Smith, Staples, Stewart, Swann, Terry, Thompson, Towns, Travis, Turner, Van Huss, White D., Whitson, Windle, Zachary, Madam Speaker Harwell -- 52

Representatives voting no were: Alexander, Brooks H., Brooks K., Butt, Byrd, Calfee, Casada, Curcio, Daniel, Doss, Eldridge, Faison, Forgety, Goins, Gravitt, Halford, Hazlewood, Hicks, Hill M., Holsclaw, Holt, Howell, Hulsey, Johnson, Kumar, Littleton, Marsh, Matheny, McDaniel, Moody, Powers, Ragan, Reedy, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Sparks, Tillis, Weaver, White M., Williams, Wirgau -- 45

Rep. Gant moved that House Amendment No. 14 be withdrawn, which motion prevailed.

Rep. Goins moved the previous question, which motion failed by the following vote:

Ayes	56
Noes.....	32

Representatives voting aye were: Alexander, Brooks H., Brooks K., Butt, Byrd, Carr, Carter, Casada, Coley, Cooper, Doss, Eldridge, Faison, Farmer, Forgety, Gant, Goins, Halford, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Howell, Hulsey, Johnson, Kumar, Lamberth, Littleton, Lollar, Marsh, Matheny, McCormick, McDaniel, Moody, Pody, Powers, Ragan, Ramsey, Reedy, Sanderson, Sargent, Sexton C., Sexton J., Sherrell, Swann, Terry, Tillis, Van Huss, Weaver, White D., White M., Williams, Wirgau, Zachary, Madam Speaker Harwell -- 56

Representatives voting no were: Akbari, Beck, Camper, Clemmons, Crawford, Daniel, DeBerry, Favors, Fitzhugh, Gilmore, Hardaway, Holt, Jernigan, Jones, Kane, Keisling, Love, Lynn, Miller, Mitchell, Parkinson, Pitts, Powell, Rogers, Rudd, Smith, Staples, Stewart, Thompson, Towns, Whitson, Windle -- 32

After further discussion, Rep. Gravitt moved the previous question, which motion prevailed.

Rep. Marsh moved that **Senate Bill No. 519**, as amended, be passed on third and final consideration, which motion failed by the following vote:

Ayes	45
Noes.....	47
Present and not voting.....	2

Representatives voting aye were: Alexander, Brooks H., Butt, Byrd, Carr, Carter, Curcio, Daniel, Doss, Dunn, Eldridge, Faison, Farmer, Forgety, Gant, Goins, Gravitt, Halford, Hazlewood, Hicks, Holt, Howell, Hulsey, Johnson, Kumar, Lamberth, Littleton, Marsh, Matheny, McDaniel, Powers, Ragan, Reedy, Sanderson, Sexton C., Sexton J., Shaw, Sparks, Terry, Tillis, Weaver, White M., Williams, Wirgau, Zachary -- 45

Representatives voting no were: Akbari, Beck, Camper, Casada, Clemmons, Coley, Cooper, Crawford, Favors, Fitzhugh, Gilmore, Hardaway, Hill M., Hill T., Holsclaw, Jernigan, Jones, Kane, Keisling, Lollar, Love, Lynn, McCormick, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Ramsey, Rogers, Rudd, Sargent, Sherrell, Smith, Staples, Stewart, Swann, Thompson, Towns, Turner, Van Huss, White D., Whitson, Windle, Madam Speaker Harwell -- 47

Representatives present and not voting were: DeBerry, Travis -- 2

Senate Bill No. 519, having failed to receive a constitutional majority, was thereby re-referred to the Committee on Calendar and Rules.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "aye" to "no" on the motion to re-refer **Senate Bill No. 519** to Local Government Committee and have this statement entered in the Journal: Rep. Doss.

Pursuant to **Rule No. 31**, the following members desire to change their original stand from "aye" to "no" on **Senate Bill No. 519** and have this statement entered in the Journal: Reps. Gant and Terry.

UNFINISHED BUSINESS

RULES SUSPENDED

Rep. Casada moved that the rules be suspended in order to allow **House Bill No. 1305** to be heard in the Business and Utilities Subcommittee Thursday, April 6, 2017 immediately following session, which motion prevailed.

RULES SUSPENDED

Rep. Casada moved that the rules be suspended in order to allow **House Bill No. 1286** to be heard in the Criminal Justice Subcommittee this week, which motion prevailed.

RULES SUSPENDED

Rep. Casada moved that the rules be suspended in order to allow **House Bill No. 800** to be heard in the Civil Justice Subcommittee this week, which motion prevailed.

RULES SUSPENDED

Rep. Casada moved that the rules be suspended in order to allow **House Bill No. 5, 20, 23 and 176** if favorably considered in Local Government Subcommittee to be heard in the Local Government Committee this week and if favorably considered to be heard in the Finance, Ways and Means Subcommittee, which motion prevailed.

NOTICE TO ACT ON SENATE MESSAGE

Pursuant to **Rule No. 59**, notice was given that the following measure from the Senate would be considered on April 6, 2017:

House Bill No. 56: by Rep. Zachary

BILL WITHDRAWN

On motion of Rep. Weaver, **House Bill No. 1435** was recalled from the Local Government Committee and withdrawn from the House.

RULES SUSPENDED

Rep. Forgety moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 299 out of order, which motion prevailed.

Senate Joint Resolution No. 299 -- Memorials, Heroism - Corporal Brian Alexander, Deputy Jerry Wattenbarger, Lieutenant Eric Allman, Detective Jared Price, and Auxiliary Deputy Brian McKinney of McMinn County Sheriff's Office. by *Bell.

On motion of Rep. Forgety, the resolution was concurred in.

A motion to reconsider was tabled.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 5 Rep. Ragan as First prime sponsor.

House Bill No. 20 Rep. Forgety as First prime sponsor.

House Bill No. 20 Rep. Pitts as Second prime sponsor.

House Bill No. 20 Reps. Thompson, DeBerry, Beck, Shaw, Miller, Cooper, Hardaway, Turner and Favors as prime sponsors.

House Bill No. 23 Reps. Shaw and Turner as prime sponsors.

House Bill No. 63 Rep. Moody as prime sponsor.

House Bill No. 106 Rep. Lamberth as prime sponsor.

House Bill No. 176 Reps. Thompson, DeBerry, Beck, Shaw, Clemmons, Hardaway, Turner, Gilmore, Cooper, Favors and Reedy as prime sponsors.

House Bill No. 707 Rep. Pitts as prime sponsor.

House Bill No. 738 Rep. H. Brooks as prime sponsor.

House Bill No. 813 Rep. Daniel as prime sponsor.

House Bill No. 827 Reps. Stewart, Rogers and Beck as prime sponsors.

House Bill No. 852 Rep. Sanderson as prime sponsor.

REPORT OF CHIEF ENGROSSING CLERK April 3, 2017

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Joint Resolutions Nos. 213, 218 and 219; for his action.

GREG GLASS, Chief Engrossing Clerk

MESSAGE FROM THE SENATE

April 3, 2017

MADAM SPEAKER: I am directed to return to the House, House Bills Nos. 81, 173, 520, 1112 and 1415; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE

April 3, 2017

MADAM SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 88, 97, 112, 138, 348, 385, 902 and 1202; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

SIGNED

April 3, 2017

The Speaker announced that she had signed the following: Senate Bills Nos. 88, 97, 112, 138, 348, 385, 902 and 1202.

TAMMY LETZLER, Chief Clerk

SIGNED

April 3, 2017

The Speaker announced that she had signed the following: House Bills Nos. 312, 1414 and 1417.

GREG GLASS, Chief Engrossing Clerk

MESSAGE FROM THE SENATE

April 3, 2017

MADAM SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 102, 154, 305, 389, 449, 469, 527, 692, 695, 818, 921, 957, 999, 1077, 1198, 1206, 1215, 1216, 1246, 1252 and 1360; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

***Senate Bill No. 102** -- Sunset Laws - As introduced, extends the Tennessee council for career and technical education four years to June 30, 2021. - Amends TCA Title 4, Chapter 29, Part 2 and Title 49, Chapter 11. by *Bell. (HB239 by *Faison)

MONDAY, APRIL 3, 2017 -- TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

***Senate Bill No. 154** -- Physicians and Surgeons - As introduced, permits osteopathic physicians with certifications in pain management or pain medicine to practice in interventional pain management or as pain management specialists. - Amends TCA Title 63. by *Green. (HB590 by *Terry)

Senate Bill No. 305 -- Consumer Protection - As introduced, removes certain acts from the list of prohibited acts by a litigation financier; gives priority, with exclusions, of an attached litigation financier lien over other liens that subsequently take effect and attach. - Amends TCA Section 47-16-105 and Section 47-16-109. by *Watson. (*HB366 by *Lynn)

***Senate Bill No. 389** -- Taxes, Hotel Motel - As introduced, authorizes the City of McMinnville, by ordinance adopted by a two-thirds vote, to levy an occupancy tax of not more than 3 percent on the privilege of staying in any hotel or motel in McMinnville; the ordinance must set forth the manner of collection and administration of the privilege tax; requires that all proceeds received by the municipality from the tax be used for tourism development. - Amends amend TCA Section 67-4-1425. by *Bowling. (HB459 by *Sherrell)

***Senate Bill No. 449** -- Professions and Occupations - As introduced, requires state governmental entities that establish or adopt guides to practice to do so through the promulgation of rules; guides to practice include codes of ethics, voluntary certification programs, and other measures required to ensure minimum quality of service. - Amends TCA Title 4; Title 49; Title 62; Title 63; Title 68; Title 69 and Title 70. by *Bell. (HB566 by *Howell, *Zachary, *Carter, *Goins, *Rogers, *Lamberth, *Powers, *Byrd, *Brooks K, *Matlock, *Doss, *White D)

Senate Bill No. 469 -- Real Property - As introduced, prohibits homeowners' associations from adopting or enforcing regulations that prohibit veterans from flying the U.S. flag and military flags. - Amends TCA Title 5; Title 6; Title 7 and Title 66. by *Niceley, *Bowling. (*HB456 by *Littleton)

***Senate Bill No. 527** -- Solid Waste Disposal - As introduced, increases the minimum number of members appointed to serve on regional solid waste boards, from five to seven; requires the two additional members to be elected officials from local governmental entities located within the region served by a board. - Amends TCA Title 68, Chapter 211, Part 8. by *Southerland. (HB724 by *Gilmore)

Senate Bill No. 692 -- Taxes - As introduced, exempts methanol from gasoline and petroleum taxes when not blended or composed of other motor fuels. - Amends TCA Title 9; Title 54; Title 55 and Title 67. by *Yager. (*HB298 by *Windle)

Senate Bill No. 695 -- Alcoholic Beverages - As introduced, allows special occasion licensees to receive donated alcoholic beverages and beer; allows alcoholic beverage commission to issue citation for a retailer who fails to satisfy obligations to a wholesaler; makes various other revisions. - Amends TCA Section 57-1-108; Section 57-1-201; Section 57-3-101; Section 57-3-104; Section 57-3-411; Section 57-3-703; Section 57-3-704; Section 57-3-802; Section 57-3-805; Section 57-4-101; Section 57-4-102; Section 57-4-107; Section 57-4-201; Section 57-4-203 and Section 57-9-201. by *Yager. (*HB435 by *Ramsey)

***Senate Bill No. 818** -- Water - As introduced, extends time from January 31 to February 15 for commissioner of environment and conservation to provide report to the chair of the energy, agriculture and natural resources committee of the senate and the chair of the

MONDAY, APRIL 3, 2017 -- TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

agriculture and natural resources committee of the house of representatives on the implementation of a secure web portal for the submittal of online permit applications. - Amends TCA Title 69 and Title 70. by *Southerland. (HB1014 by *Hawk)

Senate Bill No. 921 -- Weapons - As introduced, enacts the "Tennessee Hearing Protection Act," which deletes the prohibition on possession, manufacture, transport, repair, or sale of a firearm silencer. - Amends TCA Section 39-17-1301 and Section 39-17-1302. by *Southerland. (*HB11 by *Goins, *Sexton J)

***Senate Bill No. 957** -- Taxes - As introduced, requires counties and cities that levy a local option sales tax to send a copy of the resolution or ordinance levying the tax to the commissioner of revenue no later than 30 days after it is adopted. - Amends TCA Title 9; Title 54; Title 55 and Title 67. by *Tracy. (HB1048 by *Matlock)

***Senate Bill No. 999** -- Water Authorities - As introduced, requires public reports on annual post audits of water and wastewater treatment authorities to be disseminated within five business days of the completion of such reports. - Amends TCA Title 68 and Title 69. by *Watson, *Southerland. (HB1170 by *Gravitt)

Senate Bill No. 1077 -- Handgun Permits - As introduced, increases amount of time a handgun carry permit holder must notify the department of safety of a change of address from 60 days to 75 days. - Amends TCA Title 39, Chapter 17, Part 13. by *Lundberg, *Jackson. (*HB995 by *White D)

Senate Bill No. 1198 -- Education - As introduced, revises various provisions regarding student accountability measures due to the implementation of the federal law The Every Student Succeeds Act (ESSA) including revising the way the state board of education and the department of education determine the performance level of a school. - Amends TCA Title 49, Chapter 1, Part 6 and Section 49-6-6001. by *Norris, *Tracy. (*HB308 by *Hawk, *Casada, *Brooks H, *White M, *Byrd)

Senate Bill No. 1206 -- Mental Illness - As introduced, establishes procedures to be followed by the trial court for the diagnosis, evaluation, and initial treatment of persons found not guilty by reason of insanity for first degree murder or certain other Class A felonies. - Amends TCA Section 33-7-303. by *Norris, *Overbey. (*HB317 by *Hawk, *Casada, *Daniel)

Senate Bill No. 1215 -- Telecommunications - As introduced, creates a grant program for promoting the deployment and adoption of broadband internet access services; provides certain standards that must be met by a local community to benefit from such grants; allows an electric cooperative to provide broadband service within or without the cooperative's service area, subject to certain requirements; provides a tax credit for qualified broadband internet access equipment. - Amends TCA Title 4, Chapter 3, Part 7; Title 7, Chapter 59, Part 3; Title 65, Chapter 25 and Title 67, Chapter 4, Part 20. by *Norris, *Bell, *Yager, *Ketron, *Watson. (*HB529 by *Hawk, *Casada, *Swann, *Marsh, *Doss, *Calfee, *Reedy, *Powers, *Eldridge, *Holsclaw, *Byrd, *Gant, *Travis, *Hazlewood, *Hicks, *Sanderson, *Weaver)

Senate Bill No. 1216 -- Education, Higher - As introduced, replaces the Tennessee National Guard Tuition Assistance Act with the Tennessee Support, Training, and Renewing Opportunity for National Guardsmen (STRONG) Act of 2017. - Amends TCA Title 49, Chapter 4, Part 10. by *Norris, *Jackson, *Ketron, *Crowe, *Gresham, *Harris. (*HB530 by *Hawk, *Casada, *Goins, *Rudd, *Johnson, *Hazlewood, *Whitson)

Senate Bill No. 1246 -- Shelby County - As introduced, increases membership on the county board of equalization from nine to 13 members. - Amends TCA Title 67, Chapter 1. by *Norris. (*HB491 by *Lollar)

Senate Bill No. 1252 -- Children - As introduced, amends the requirements for what is to be included in a petition filed in juvenile court; clarifies the requirement that a court conducting a termination of parental rights hearing admit evidence pursuant to the Tennessee Rules of Evidence. - Amends TCA Section 36-1-113; Section 37-1-120; Section 37-1-129 and Section 37-1-183. by *Norris. (*HB840 by *DeBerry)

Senate Bill No. 1360 -- Military - As introduced, requires the adjutant general to provide a burial flag, upon application, to the members of the family of a deceased person who is an active, honorably discharged, or retired member of the national guard who served at least one year. - Amends TCA Title 58, Chapter 1, Part 1. by *Bailey, *Bowling. (*HB107 by *Windle, *Lamberth, *Jernigan, *Littleton, *Hulsey, *Sanderson, *Ramsey, *Sexton C, *Howell, *Hardaway, *DeBerry)

PRESENT IN CHAMBER

Rep. Parkinson was recorded as being present in the Chamber.

ROLL CALL

The roll call was taken with the following results:

Present..... 90

Representatives present were Akbari, Alexander, Beck, Brooks H., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Farmer, Favors, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, McCormick, McDaniel, Miller, Mitchell, Moody, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Swann, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 90

RECESS

On motion of Rep. Casada, the House stood in recess until 9:00 a.m., Thursday, April 6, 2017.